

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of)

Petition of NPCR, Inc. d/b/a Nextel)
Partners, for Designation as an Eligible)
Telecommunications Carrier in the State of)
Kentucky)

Case No. 2003-00143

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**PUBLIC SERVICE
COMMISSION**

**VERIFIED PETITION OF NPCR, INC. d/b/a NEXTEL PARTNERS, ON BEHALF OF
ITSELF AND ITS CORPORATE AFFILIATES NEXTEL WEST CORPORATION,
SPRINT SPECTRUM, L.P. AND SPRINTCOM, INC., TO AMEND ITS ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATION**

Dated: January 31, 2008

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I. INTRODUCTION

1. NPCR, Inc. d/b/a Nextel Partners, on behalf of itself and its corporate affiliates Nextel West Corporation, Sprint Spectrum, L.P., and SprintCom, Inc., (collectively “Sprint Nextel” or “Petitioners”), through undersigned counsel, submits this Petition to Amend its Eligible Telecommunications Carrier Designation pursuant to Section 214(e) of the Telecommunications Act of 1996 (the “Act”), 47 U.S.C. § 151, *et. seq.*, the rules of the Kentucky Public Service Commission (“Commission”), and the rules and regulations of the Federal Communications Commission’s (“FCC”) governing universal service, 47 C.F.R. Part 54 (“FCC Rules”).

2. As set forth in this Petition, Petitioners seek to amend the ETC designation previously granted to NPCR, Inc. d/b/a Nextel Partners on December 16, 2004, in Case No. 2003-00143. Specifically, Petitioners respectfully request that the Commission issue an Order:

(a) Amending the foregoing ETC designation for NPCR, Inc. d/b/a Nextel Partners to include NPCR, Inc. and its corporate affiliates, Nextel West Corporation, Sprint Spectrum, L.P., and Sprintcom, Inc. to enable each of the Sprint Nextel corporate affiliates providing commercial mobile radio service (“CMRS”) in designated areas in Kentucky to provide service as a competitive ETC; and

(b) Making it clear that the designation will allow Petitioners to obtain universal service funding for all customers that subscribe to Petitioners’ qualifying service offerings throughout the designated ETC Service Areas, regardless of which Sprint Nextel operating entity provides the service.

3. As discussed below, granting this Petition in this proceeding will enable the Petitioners to receive federal high-cost universal service support for each qualified line served

within the designated service areas but will not result in a double recovery from the federal universal service fund. There will be no change in the designated service areas.

II. BACKGROUND

A. Identification of the Petitioners

4. Petitioners are affiliates and indirect wholly-owned operating entities of Sprint Nextel Corporation.

5. Petitioners are authorized by the FCC to provide wireless broadband personal communications services (“PCS”) and specialized mobile radio services (“SMR”) in Kentucky. PCS and SMR are classified as commercial mobile radio service (“CMRS”) under federal law. 47 C.F.R. § 20.9(a).

6. Counsel for Sprint Nextel in this proceeding is:

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B. Existing ETC Designation of NPCR, Inc.

7. On December 16, 2004, in Case No. 2003-00143, the Commission designated NPCR, Inc. as a competitive ETC within the rural and non-rural areas identified in **Exhibit A**.¹ Each of these areas is located wholly within the geographic limits of Petitioners’ FCC-licensed service areas in Kentucky.

¹ *Order, In the Matter of: Petition of NPCR, Inc. d/b/a Nextel Partners for Designation as an Eligible Telecommunications Carrier in the State of Kentucky, Case No. 2003-00143 (December 16, 2004) (“NPCR Designation Order”).*

C. Merger of Sprint Corporation and Nextel Communications, Inc. and Acquisition of NPCR, Inc.

8. In August 2005, Sprint Corporation, the former corporate parent of SprintCom, Inc. and Sprint Spectrum, L.P., merged with Nextel Communications, Inc., the former corporate parent of Nextel West Corporation, to form Sprint Nextel Corporation. In June 2006, Sprint Nextel Corporation acquired Nextel Partners, Inc., the corporate parent of NPCR, Inc. As a result of the merger and acquisition, all of the Petitioners are now affiliates of one another and wholly-owned operating entities of Sprint Nextel Corporation.

9. Prior to the above-referenced merger and acquisition, Sprint Corporation's operating entities provided wireless telecommunications services utilizing Code Division Multiple Access ("CDMA") technology. Nextel Communications, Inc.'s operating entities and NPCR, Inc. provided wireless telecommunications services utilizing integrated Digital Enhanced Network ("iDEN") technology. Since the merger and acquisition, the operating entities of Sprint Nextel Corporation have provided both CDMA and iDEN services.

III. PETITIONERS SATISFY EACH OF THE STATUTORY AND REGULATORY PREREQUISITES FOR DESIGNATION AS A COMPETITIVE ELIGIBLE TELECOMMUNICATIONS CARRIER

10. To qualify for ETC designation under 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201, an applicant must satisfy the following requirements:

- (a) The applicant must be a "common carrier" under federal law;
- (b) The applicant must offer or be capable of offering the services or functionalities set forth in 47 C.F.R. § 54.101(a)(1)-(a)(9) (the "Supported Services") using its own facilities, or a combination of its own facilities and resale of another carrier's services;
- (c) The applicant must commit to advertise the availability and charges for the Supported Services using media of general distribution;

(d) The applicant must commit to provide Lifeline and Link-Up services to qualifying low income consumers; and

(e) The applicant must be assigned a service area designated by the state commission.

11. The Commission previously determined in the *NPCR Designation Order* that NPCR, Inc. satisfied each of the foregoing requirements for designation as a competitive ETC.

12. As demonstrated below, because Petitioners satisfy all federal and state requirements for ETC designation, the Commission should grant this Petition to amend and consolidate its ETC designation.

A. Commitment and Ability to Provide the Supported Services

(1) The Petitioners Are Common Carriers

13. The first requirement for ETC designation is that the applicant is a common carrier. 47 U.S.C. § 214(e)(1). A common carrier is defined by the Act as “any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio” 47 U.S.C. § 153(10). The services at issue here are common carrier services. *See* 47 C.F.R. § 20.9(a). The Petitioners are, therefore, common carriers for purposes of ETC designation.

(2) Petitioners Provide Each Of The Nine Supported Services

14. The second requirement for ETC designation is that the applicant be capable of and committed to providing each of the nine Supported Services upon designation. 47 U.S.C. § 214(e)(1)(A). Each of the Sprint Nextel affiliates is capable of, and currently does provide, the Supported Services over its existing network infrastructure in Kentucky as follows:

(a) Voice Grade Access: The FCC has determined that voice grade access to the public switched telephone network means the ability to make and receive calls with a minimum bandwidth of 300 to 3500 Hertz. 47 C.F.R. § 54.101(a)(1). Through interconnection

agreements with various ILECs, all of the Petitioners' Kentucky subscribers are currently able to make and receive calls on the public switched telephone network within the FCC's specified frequency range.

(b) Local Usage: "Local usage" means an amount of minutes of use of exchange service, as prescribed by the FCC, provided free of charge to end users. 47 C.F.R. § 54.101(a)(2). Unlimited local usage is not required of any ETC under federal law.² The FCC has determined that a wireless carrier's inclusion of local usage in a variety of service offerings satisfies the obligation to provide local usage.³ Petitioners currently offer a variety of service offerings which include varying amounts of local usage. In addition, Petitioners will comply with any specific local usage requirements adopted by the FCC and required of federal ETCs.

(c) Dual Tone Multi-Frequency Signaling or Its Functional Equivalent: "Dual Tone Multi-Frequency" ("DTMF") is a method of signaling that facilitates the transportation of call set-up and call detail information. 47 C.F.R. § 54.101(a)(3). The FCC has recognized that "wireless carriers use out-of-band signaling mechanisms [It] is appropriate to support out-of-band signaling mechanisms as an alternative to DTMF signaling."⁴ Petitioners currently use out-of-band digital signaling and in-band multi-frequency signaling that is the functional equivalent of DTMF signaling, in accordance with the FCC's requirements.

² *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Order and Order on Reconsideration*, FCC 03-170, ¶ 14 (rel. July 14, 2003) ("*July 2003 Order*"); *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Report and Order*, FCC 05-46, ¶ 32 (rel. March 17, 2005) ("*March 2005 Order*").

³ *In the Matter of Federal-State Joint Board on Universal Service Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia*, CC Docket No. 96-45, *Memorandum Opinion and Order*, ¶ 20 (rel. January 22, 2004) ("*Virginia Cellular*").

⁴ *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Report and Order*, FCC 97-157, ¶ 71 (rel. May 8, 1997) ("*Universal Service Order*").

(d) Single-Party Service or its Functional Equivalent: The FCC has determined that a CMRS provider satisfies the requirement of offering single party service when it offers a dedicated message path for the length of a user's particular transmission. 47 C.F.R. § 54.101(a)(4). Petitioners provide single-party service by providing a dedicated message path for the length of a user's wireless transmission in all of its service offerings.

(e) Access to Emergency Service: "Access to emergency service" means the ability to reach a public service answering point ("PSAP") by dialing "911." The FCC also requires that a carrier provide access to enhanced 911 ("E911"), which includes the capability of providing both automatic numbering information ("ANI") and automatic location information ("ALI"), when the PSAP is capable of receiving such information and the service is requested from the carrier. 47 C.F.R. § 54.101(a)(5). Petitioners currently provide all of their customers with the ability to access emergency services by dialing "911." Sprint Nextel will continue to deploy E911 facilities in Kentucky upon request from local PSAPs.

(f) Access to Operator Services: "Access to operator services" means any automatic or live assistance provided to a customer to arrange for the billing or completion, or both, of a telephone call. 47 C.F.R. § 54.101(a)(6). Petitioners provide all of their customers with access to operator services provided either by Sprint Nextel or third parties.

(g) Access to Interexchange Service: "Access to interexchange service" means the ability to access an interchange carrier's network. 47 C.F.R. § 54.101(a)(7). The provision of equal access to interexchange service – *i.e.*, the ability of a consumer to access a presubscribed long distance carrier – is not a prerequisite to designation as a competitive ETC.⁵

⁵ *July 2003 Order*, ¶¶ 14-15; *Universal Service Order*, ¶ 78.

Petitioners provide all of their customers with the ability to make and receive interexchange calls.

(h) Access to Directory Assistance: “Access to directory assistance” means the ability to provide access to a service that makes directory listings available. 47 C.F.R. § 54.101(a)(8). Sprint Nextel provides all of its customers with access to directory assistance by dialing “411” or “555-1212.”

(i) Toll Limitation Services: An ETC must offer “toll limitation” services to qualifying low-income consumers at no charge. 47 C.F.R. § 54.101(a)(9). “Toll limitation” is defined as either “toll blocking” or “toll control” if a carrier is incapable of providing both, but as both “toll blocking” and “toll control” if a carrier can provide both. 47 C.F.R. § 54.400(d). Toll blocking allows consumers to elect not to allow the completion of outgoing toll calls. 47 C.F.R. § 54.400(b). Toll control allows consumers to specify a certain amount of toll usage that may be incurred per month or per billing cycle. 47 C.F.R. § 54.400(c). Sprint Nextel is capable of and does provide toll limitation to Lifeline subscribers.

(3) Petitioners Advertise the Availability and Cost of Supported Services

15. Sprint Nextel advertises the availability of the Supported Services and charges therefore, including Lifeline and Link Up services, in media of distribution in its current ETC Service Areas.

16. Sprint Nextel currently offers and advertises its wireless telecommunications services in Kentucky using media of general distribution, including radio, television, billboard, print advertising and the Internet at www.sprint.com.⁶ Sprint Nextel also maintains various retail

⁶ A sample advertisement is provided in **Exhibit B**.

store locations and sales agents throughout its cellular market areas, which provide an additional source of advertising.

17. Sprint Nextel will continue to participate in the FCC's Lifeline and Link-Up programs in accordance with 47 C.F.R. §§ 54.400-54.417. Approving this Petition will allow qualifying end users of Kentucky the additional choice of the CDMA technology and handsets that work on the CDMA network. Toll limitation will be provided at no additional charge to those who request it, and customers who choose toll limitation will not be required to pay a service deposit. Sprint Nextel will continue to advertise the availability of Lifeline and Link-Up assistance in a manner that informs the general public within the ETC Service Areas of both the services available and the corresponding changes. Interested consumers also can download an application form for Lifeline service through Sprint Nextel's website.⁷

18. Sprint Nextel hereby commits to offer all of the Supported Services throughout the designated ETC Service Areas.

19. Petitioners hereby state they are in full compliance with all Commission orders, rules and regulations, and are in good standing with the Commission.

(4) Manner of Service – Sprint Nextel Is Committed And Able To Provide The Supported Services Throughout The Company's ETC Service Areas

20. In the *NPCR Designation Order*, the Commission approved NPCR, Inc.'s specific commitments to provide service to requesting customers in NPCR's designated areas.⁸

⁷ See www.nextel.com/en/services/calling/universal_lifeline_program.shtml.

⁸ *NPCR Designation Order*, p. 4.

Petitioners reiterate those commitments and will continue to provide service to requesting customers in the amended designated areas.

(5) Designated ETC Service Areas

21. NPCR, Inc. was designated as an ETC in the ETC Service Areas set forth in **Exhibit A**. Each of these areas is located wholly within the geographic limits of Sprint Nextel's FCC-licensed service areas in Kentucky. Sprint Nextel can and will offer and advertise wireless telecommunications services throughout the ETC Service Areas. There will be no change in the ETC Service Areas.

(6) Sprint Nextel Will Continue To Utilize Federal High-Cost Universal Service Support To Improve And Extend Service Within The Designated ETC Service Areas

22. If this Petition is approved, Petitioners will receive additional universal service support in 2008. Petitioners estimate that the additional universal service support in 2008 will be approximately \$627,000. The amount of anticipated universal service support to be received by Petitioners will increase because Sprint Nextel will not be limited to reporting only those iDEN lines associated with NPCR, Inc.'s service, but instead will be able to report all CDMA and iDEN lines in designated areas for all Applicant operating subsidiaries of Sprint Nextel Corporation in Kentucky. However, because Petitioners will only receive federal high-cost universal service support for lines actually served within the ETC Service Areas, the Company will not receive double-recovery simply because both CDMA and iDEN services may be offered in the same service area. Petitioners commit to continuing the practice of annual reporting on progress toward build-out plans.

B. Sprint Nextel Has The Ability To Remain Functional In Emergency Situations

23. Sprint Nextel provides the following information demonstrating its ability to remain functional in emergency situations. Sprint Nextel has reasonable amounts of backup power to ensure functionality without an external power source, and has implemented reasonable practices to reroute traffic around damaged facilities and manage traffic spikes resulting from emergency situations. Sprint Nextel's emergency operations plan for the State of Kentucky is attached as **Exhibit C**.

24. Sprint Nextel's network is monitored 24 hours a day, 7 days a week, 365 days a year by its Network Monitoring Centers. In addition, local switching offices staffed by trained technicians and management coordinate with these larger operation centers, to ensure that Sprint Nextel's networks are properly maintained and network performance is at expected levels.

25. Sprint Nextel is capable of rerouting traffic around damaged facilities. Many cell sites in the Sprint Nextel network provide overlapping coverage for neighboring areas that can be used in the event of damage to a particular facility. In the event of a major failure of a cell site, neighboring sites could be adjusted to provide coverage to a wider service area. In addition, Sprint Nextel has "Cells On Wheels" ("COWs"), which are portable self-contained cell sites, that can provide a temporary coverage solution. Sprint Nextel also has engineered interconnection redundancy utilizing dual fiber facilities at all switch locations, and most transport hub locations are placed on SONET bi-directional fiber rings. These practices significantly reduce the chance that fiber cuts or equipment failure will result in a loss of service.

26. Sprint Nextel is capable of managing traffic spikes resulting from emergency situations. The network is designed to minimize call blocking. In order for a traffic spike to result in call blocking, the number of simultaneous calls must exceed the total number of voice paths available at the one or more serving cell sites at a given location. Sprint Nextel designs its

cell sites based on a standard of not more than one percent (1%) blocked calls on any cell site sector during its busiest hour using a 14-day average. When a sector approaches this level of utilization, Sprint Nextel takes steps to increase call capacity. Sprint Nextel also has the ability to manage traffic spikes through the deployment of COWs.

27. The Commission should find, based on the Petitioners' emergency operations plan and on the other facts presented, that Sprint Nextel is capable of remaining functional in emergency situations.

C. Sprint Nextel Satisfies Consumer Protection and Service Quality Standards

28. Petitioners comply with all of the requirements set forth in the CTIA Consumer Code.⁹ Petitioners' corporate parent, Sprint Nextel Corporation, became a signatory to the Consumer Code in 2003 on behalf of its operating subsidiaries. Since adopting the Consumer Code, Petitioners have implemented the policy and practices required of signatories throughout designated ETC Service Areas.

29. As a signatory to the Consumer Code, Sprint Nextel Corporation must also demonstrate its compliance with CTIA on an annual basis, in order to be authorized to display the CTIA seal of Wireless Quality/Consumer Information. CTIA has consistently certified Sprint Nextel Corporation's compliance (and thereby that of the Petitioners) with the Consumer Code since 2003.

30. Consistent with the commitment made by NPCR, Inc. in its initial Petition for Designation, Petitioners will continue to provide annual reports on the number of complaints per

⁹ The CTIA Consumer Code is available at http://files.ctia.org/pdf/The_Code.pdf.

1,000 handsets and information detailing how many requests for service from potential customers were unfulfilled.

D. Sprint Nextel Offers A Comparable Local Usage Plan

31. Sprint Nextel offers local usage comparable to that offered by incumbent wireline providers. “Local usage” is defined by 47 C.F.R. § 54.101(a)(2) as “an amount of minutes of use of local exchange service, prescribed by the [FCC], provided free of charge to end users.”

32. **Exhibit D** identifies Sprint Nextel's service offerings, including the amount of local usage in each plan. Sprint Nextel offers customers plans with varying amounts of local usage, including plans that have unlimited calling. In addition, Sprint Nextel CDMA and iDEN service offerings generally include nationwide calling, thus the local calling area is all households and phones in the United States. These service offerings are at least comparable to basic local exchange service provided by incumbent LECs. Incumbent LECs’ basic local exchange service may allow for unlimited calling, but those minutes can only be used within a single exchange (or a group of neighboring exchanges), and from a fixed location.

33. Sprint Nextel further commits to furnishing Lifeline and Link Up services to qualified consumers.

E. Sprint Nextel Acknowledges The FCC’s Authority To Require Equal Access

34. An ETC applicant must acknowledge that the FCC may require it to provide equal access to long distance carriers within its designated ETC Service Area in the event that no other ETC is providing equal access within the service area. Sprint Nextel hereby acknowledges that the FCC may require the Petitioners to provide equal access within the designated ETC Service Areas in the event that no other ETC is providing equal access within that area.

IV. GRANTING SPRINT NEXTEL'S PETITION WILL SERVE THE PUBLIC INTEREST

35. Granting Sprint Nextel's Petition will serve the public interest. The Commission's prior decisions to grant NPCR, Inc.'s existing ETC designations has provided Kentucky consumers with increased choice of telecommunications services and granting this petition will ensure the trend continues. Specifically, Kentucky consumers benefit by expanded access to innovative wireless services in rural and high cost areas, including access to features and premium services, that provide meaningful competitive choices to wireline services. As the Commission is aware, in addition to providing the advantage of mobility, wireless services generally do not include additional per minute charges for calls that are traditionally considered long distance and incur toll charges when dialed from a landline phone. Wireless service packages also generally include voicemail, call waiting and call forwarding capabilities as part of the standard monthly service charge, providing a cost advantage over basic landline service. Further, by granting this Petition, the Commission provides this competitive wireless choice to those who qualify for Lifeline and Link Up services as an alternative to incumbent landline service.

A. Benefits Of Increased Consumer Choice

36. Granting this Petition will serve the public interest by providing the benefits of increased consumer choice in rural and high-cost areas. The FCC has repeatedly acknowledged the inherent consumer benefits of increased competition in the telecommunications market. Increased competition can be expected to drive down prices, improve service quality, and promote the development of advanced communications services:

We note that an important goal of the Act is to open local telecommunications markets to competition. Designation of competitive ETCs promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services, and new technologies. We agree with Western

Wireless that competition will result not only in the deployment of new facilities and technologies, but will also provide an incentive to the incumbent rural telephone companies to improve their existing network to remain competitive, resulting in improved service to Wyoming consumers. In addition, we find that the provision of competitive service will facilitate universal service to the benefit of consumers in Wyoming by creating incentives to ensure that quality services are available at “just, reasonable, and affordable rates.”

* * *

We reject the general argument that rural areas are not capable of sustaining competition for universal service support. We do not believe that it is self-evident that rural telephone companies cannot survive competition from wireless providers. Specifically, we find no merit to the contention that designation of an additional ETC in areas served by rural telephone companies will necessarily create incentives to reduce investment in infrastructure, raise rates, or reduce service quality to consumers in rural areas. To the contrary, we believe that competition may provide incentives to the incumbent to implement new operating efficiencies, lower prices, and offer better service to its customers. . . .¹⁰

37. Competition has in fact led to specific benefits for consumers in Kentucky. Eleven years ago, there was little competition in the market for landline voice service, and wireless services were just beginning to be made widely available. The 1996 Act brought CLECs into the local voice market, and there are now well over 200 authorized CLECs in Kentucky. On the wireless side, the FCC allowed many carriers to obtain licenses and compete for customers. In addition, this Commission has allowed both wireless and wireline ETCs to be designated to provide universal services, including Lifeline and Link-Up services, in competition with wireline incumbent providers.

38. Consumers have also demanded more value, and competition has forced carriers to respond. In 1995, the FCC reported that a calling plan with 160 minutes of use on a wireless

¹⁰ *In the Matter of the Federal-State Joint Board on Universal Service, Western Wireless Corp. Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, CC Docket No. 96-45, *Memorandum Opinion and Order*, DA 00-2896, ¶¶ 17 & 22 (rel. Dec. 26, 2000) (emphasis added).

network would have cost approximately \$75. *In the Matter of Implementation of Section 6002(B) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services*, 10 FCC Rcd 8844, First Report, Table 8 (July 28, 1995). Today, an \$80 plan offered by Sprint Nextel in Kentucky allows for 1,350 “anytime” minutes and unlimited night and weekend minutes starting at 7 PM. As the FCC recognized in 2006, one analyst found that the average per-minute cost of wireless calling plunged 72% in the past 5 years alone. *In the Matter of Implementation of Section 6002(B) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services*, FCC 06-142, Eleventh Report, ¶ 150 (Sept. 29, 2006). Sprint Nextel must continue to provide more value to consumers or else risk losing customers.

39. Competition has also required Sprint Nextel and other carriers to innovate and provide calling plans and services that better fit consumers’ needs. Customers can choose large regional or national local calling areas, or can choose other plans more tailored to their own calling patterns. Carriers now offer handsets with advanced capabilities (cameras, music players, email, modems, etc.) as well as other services (push-to-talk, ringtones, location services, games, music downloads, etc.) available with voice service. For this to continue in rural areas it is important that vibrant competition continue to push carriers to work hard to win customers. Because there are fewer providers in rural areas as compared to urban areas, it is important that the Commission continue its support of carriers like Sprint Nextel who make significant commitments in these service territories. *See 2006 CMRS Competition Report*, ¶ 88 (CMRS providers are effectively competing in rural areas, and that while there are fewer providers in

rural areas than in urban, that difference has not enabled carriers in rural areas to raise prices above competitive levels).

40. The Commission should continue to take action to sustain and grow this competition by granting Sprint Nextel's Petition to amend its ETC designation. Granting this Petition will allow Sprint Nextel to continue to compete in these areas, to compete as an ETC in all areas using both CDMA and iDEN technology, and to obtain and use support for all eligible high cost and low income lines.

B. Unique Advantages Of Sprint Nextel's Service Offerings

41. The Commission has indicated that its public interest analysis must consider whether the benefits of having an additional ETC in a rural study area outweigh any potential harm. The Commission has weighed "the benefits of increased competitive choice, the impact of the designation on the universal service fund, the unique advantages and disadvantages of the competitor's service offering, any commitments made regarding quality of telephone service, and the competitive ETC's ability to satisfy its obligation to serve the designated service areas within a reasonable time frame."¹¹

42. The Commission determined previously that NPCR Inc.'s designation would provide a variety of benefits to customers, including customer access to telecommunications and data services where there is no access to wireline service, mobility that provides benefits such as access to emergency services in rural communities, larger local calling areas than those of the incumbent LECs and therefore fewer toll charges, and a commitment to service quality including compliance with the Cellular Telecommunications Industry Association ("CTIA") Consumer

¹¹ *NPCR Designation Order*, pp. 7-8.

Code for Wireless Service.¹² These same benefits will be associated with granting this Petition to amend the existing NPCR, Inc. ETC Designation to include additional Sprint Nextel operating entities.

(1) Increased Mobility

43. Sprint Nextel's service offerings have significant advantages that serve the public interest. First, Sprint Nextel provides the benefit of mobility in a universal service offering, and the FCC has recognized the specific benefits and advantages of mobility.¹³ The benefits and advantages of wireless service are particularly important in rural and insular areas, where the FCC has found that the mobility and access to emergency services offered by wireless carriers can mitigate the unique risks of geographic isolation.¹⁴

44. The safety benefits associated with mobile wireless service are undisputed. The National Telecommunications Cooperative Association ("NTCA") – the “preeminent telecommunications industry organization dedicated exclusively to representing and serving the interests of the nation’s small, rural incumbent local exchange carriers” – recently acknowledged the essential safety benefits of wireless service in its 2004 Rural Youth Telecommunications Survey:

An astonishing 86% of survey respondents said they have their own wireless phone, leaving only 14% without. This penetration rate among rural teens, which is significantly higher than estimations for the youth market on a national level, most likely is attributed to the safety and convenience issues associated with life in small towns. While statistics show that the crime rates in small towns typically are lower than those in urban areas, safety still is a major concern due to the spread-out nature of rural communities, the long distances traveled to go to school or sports activities, and the steady decline of payphones in small communities.

¹² *Id.*

¹³ *Virginia Cellular*, ¶ 29.

¹⁴ *Id.*

When a teen becomes stranded with a flat tire on a rural road at night, a personal, mobile communication device is more than a convenience. It is a safety tool. The fear of scenarios such as this provides much of the push behind wireless penetration in rural youth markets. For this reason, a mobile wireless device increasingly is seen as more of a necessity than a luxury in rural America.

* * *

One might think that teens provide the impetus for subscribing to wireless telephone service. However, further investigation reveals that many don't even have to ask for the phone, but instead are offered the device by their parents, as 60% of survey takers indicated that their parent or guardian pays for the service. Safety issues and the desire to "keep in touch" were the prime motivating factors behind the parental purchases of wireless service.¹⁵

As Sprint Nextel is able to continue to upgrade and expand its network in Kentucky, its services will be available in more locations, furthering these public interest benefits.

45. Likewise, NTCA acknowledged the critical importance of rural/urban telecommunications parity to long-term economic development as follows:

Rural America is threatened by a "brain drain" — its young people typically go away to college in larger metropolitan areas, and in many cases, leave behind for good their rural homes to live in urban areas after graduation. This loss of an educated labor force could have a potentially dramatic impact on the future viability of rural America. The ability to offer the same state-of-the-art telecommunications services as are available in non-rural areas could play a significant role in increasing the attractiveness and livability of rural communities.¹⁶

46. The public safety benefits of mobile service have also been recognized by police and fire departments and other first responders across the country. Sprint Nextel has established strong ties with the public safety community to help meet the nation's emergency, national security and public safety needs. Indeed, Sprint Nextel's iDEN network is widely used by first responders for essential communications during emergency situations.

¹⁵ *NTCA 2004 Rural Youth Telecommunications Survey*, p. 2 & 5 (emphasis added). Available at http://www.ntca.org/content_documents/2004RuralYouthTelecommunicationsSurvey.pdf.

¹⁶ *Id.*, p. 1

(2) Reduced or Eliminated Toll Charges

47. Sprint Nextel's service offerings will benefit consumers in Kentucky who wish to reduce their toll charges by purchasing a plan with a large local calling area. As set forth on **Exhibit D**, Sprint Nextel offers varying levels of local calling, including national plans with large buckets of included minutes. In addition, Sprint Nextel customers today can make unlimited calls at night and during weekends. These service offerings thus allow consumers to reduce or eliminate toll charges consistent with the public interest.

(3) Availability of Additional Services

48. Sprint Nextel provides all of its customers with access to voice mail, call waiting and caller ID, for no additional charge per usage which benefits the public interest.

49. In addition, however, Sprint Nextel provides additional services in a way that is unique in the marketplace. Sprint Nextel has undertaken an aggressive program to improve and upgrade its network facilities to provide cutting-edge technology to its subscribers. In addition, Sprint Nextel operates two networks, each of which uses a separate technology. The iDEN network provides access to superior voice quality, robust data transmission, and Walkie-Talkie services that are highly valued by both business users and residential users. Sprint Nextel's CDMA network provides both superior voice quality and Mobile Broadband using EV-DO ("Evolution – Data Optimized") technology, for high speed internet access including access to music and video downloads. Sprint Nextel thus has the incentive and the ability to use these two networks to provide more services and meet differing needs of consumers.

50. Sprint Nextel continues to seek ways to provide new services to its customers. The Company has just begun offering a service whereby a customer can use the GPS location technology in the handset to obtain directions to a home or business location. The availability of these additional services – that the customer has the choice of buying – serve the public interest.

(4) Dropped Calls and Adequate Service Coverage

51. The CDMA National Network offers national calling plans that include the largest voice calling area, reaching more than 299 million people in the U.S., Puerto Rico, the U.S. Virgin Islands and Guam. During 2007, Sprint Nextel internal measurements of the Sprint National Network (Sprint-owned CDMA) performance showed double-digit percentage decreases in blocked and dropped calls. Sprint plans to continue this improvement trend and provide customers with increasing quality and reliability from their voice network.

52. The iDEN National Network is one of the largest, all-digital wireless networks in the U.S., covering more than 274 million people in 297 of the top 300 markets. The network is based on integrated digital enhanced network (iDEN[®]) always-on technology, which allows Nextel walkie-talkie users to connect faster than customers on other carriers' walkie-talkie networks. Sprint Nextel's internal measurements of the Nextel National Network (iDEN) performance showed double-digit percent decreases in the number of blocked calls and dropped calls throughout 2007 and the number of dropped calls remained stable compared with 2006 at a very low level. In fact, these dropped and blocked call rates on the Nextel National Network surpassed national best-ever levels early in the first quarter of this year.

(5) Ensuring the Ability of Rural Customers to Have Access to Features and Premium Services Largely Promoted in Urban Areas

53. Granting this Petition will provide rural consumers with access to features and premium services promoted in rural areas. As Sprint Nextel builds its networks, it deploys the same state-of-the art technology in rural areas as is available in urban areas. As a result, actions taken by this Commission to incent the Company to build out in rural areas will increase the availability of cutting edge wireless services.

(6) Other Factors

54. Other benefits and advantages of Sprint Nextel's service offerings include reduced long-distance rates, competitive pricing, 24-hour customer service and enhanced features such as voice-mail, caller-ID, and call-waiting.

55. Granting this Petition will also serve the public interest by enabling the Company to continue investing in Kentucky. Sprint Nextel currently operates over three hundred (900) cell sites in Kentucky.

56. Sprint Nextel also maintains several offices in Kentucky providing employment opportunities and high-tech jobs. The Company presently employs over four hundred (400) people in the state.

57. Granting Sprint Nextel's request will, therefore, further benefit Kentucky's telecommunications infrastructure and thereby make Kentucky even more attractive for business and development.

C. Impact of Designation upon the Universal Service Fund

58. The Commission has indicated it would consider the impact on the designation on the universal service fund, including, among other things, the per-line support received by the ILEC. The Commission has not, however, set any specific benchmarks in this regard.

59. Sprint Nextel's requested amendment of its existing ETC designations will have a limited impact on the universal service fund. Sprint Nextel already receives universal service funding in accordance with the NPCR, Inc. designation. This amendment will increase the amount received because all lines served by Petitioners in designated areas (whether by CDMA or iDEN technology) will be eligible.

60. The anticipated annual impact on the fund of this consolidation is \$627,000. The per-line support amounts in the ETC Service Areas range from \$0.00 per line to \$29.09 per line.

61. The Commission should find that the additional impact of this Petition is not significant, and does not weigh against the public interest. The amount of this impact is relatively low and the Commission can and should find that Sprint Nextel's receipt of this support benefits the Commonwealth of Kentucky consistent with the public interest.

V. GRANTING SPRINT NEXTEL'S PETITION WILL PROVIDE ADMINISTRATIVE EFFICIENCIES FOR THE COMPANY AND THE COMMISSION

62. The amendment of the existing NPCR, Inc. designation to include all Sprint Nextel operating subsidiaries will avoid multiple compliance filings that would result if the entities were designated separately. The submission of multiple compliance filings results in the duplicate expenditure of economic and administrative resources by Petitioners and the Commission.

63. Granting Sprint Nextel's Petition will, therefore, create economic and administrative efficiencies by streamlining the Company's annual and quarterly submissions of information to the Commission. As a result, Commission Staff will have to devote fewer administrative resources to the review and processing of information submitted by Sprint Nextel.

64. The Iowa Utilities Board ("IUB"), the Indiana Utility Regulatory Commission ("IURC") and the Louisiana Public Service Commission have recently granted similar petitions filed by Sprint Nextel. In Iowa, as here, NPCR, Inc. had been designated as an ETC but other Sprint Nextel operating entities had not, leading Sprint Nextel to seek a similar amendment to NPCR, Inc.'s designation (but not expansion of ETC Service Areas). The Iowa Utilities Board found "that [NPCR's request] is reasonable." After noting that NPCR was designated as an ETC

in Iowa and has become a wholly-owned subsidiary of Sprint Nextel, the Board said that “USAC has apparently indicated that it prefers Sprint Nextel’s affiliates to file information with USAC using the study area code previously assigned to NPCR....”¹⁷ A copy of the IUB’s Order is attached as **Exhibit E** hereto.

65. In Indiana and Louisiana, both Sprint PCS and NPCR had been designated as an ETC, and the Company sought to consolidate and expand its designation. The IURC found this action to be appropriate and consistent with the public interest:

We therefore find based on the facts presented, that Petitioner continues to satisfy all of the ETC eligibility requirements and that the public interest supports granting Sprint Nextel’s request to consolidate and expand its designated service area at this time.

A copy of the IURC’s Order is attached as **Exhibit F** hereto.

The Louisiana Public Service Commission approved Sprint Nextel’s Petition as well, concluding that consolidating the existing designations would streamline the annual certification process with the FCC and USAC and that granting the Petition to expand the non-rural designation would provide a benefit to low-income customers by expanding Sprint Nextel’s Lifeline offerings to entire wire centers. A copy of the Louisiana Public Service Commission’s Order is attached as **Exhibit G**.

VI. HIGH-COST CERTIFICATION

66. Under the FCC’s universal service rules, state commissions that desire ETCs within their jurisdiction to receive high-cost universal service support must annually file a

¹⁷ *Order Granting Motion to Amend ETC Designation, In Re: NPCR, Inc. d/b/a Nextel Partners, Docket No. 199 IAC 39.3, p. 8.*

certification with the Universal Service Administrative Company (“USAC”) and the FCC stating that all federal high-cost support provided to such carriers will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.¹⁸ By letter to the FCC and the Universal Service Administrative Company dated September 26, 2007, the Commission certified NPCR Inc.’s use of universal service support for calendar year 2008.

67. To ensure that the Petitioners’ receipt of federal high-cost universal support is not delayed or disrupted by their request to amend their ETC designation in this proceeding, Sprint Nextel respectfully requests that the Commission re-certify the Petitioners’ use of universal service support for calendar year 2008. The FCC’s Rules expressly provide that state commissions may file supplemental certifications. The FCC recently amended 47 C.F.R. §§ 54.313(d) and 54.314(d) and directed states to file such supplemental certifications within 60 days of the date of designation in order to ensure an ETC’s receipt of high-cost universal service support.

68. Accordingly, Sprint Nextel respectfully requests that the Commission re-certify its use of support and transmit a letter to the FCC and USAC in the form attached here as **Exhibit H**.

69. In support of the Company’s request, Sprint Nextel hereby certifies that it will utilize all federal high-cost universal service support it receives only for the provision, maintenance, and upgrading of facilities and services for which the support is intended pursuant to 47 U.S.C. § 254(e).

WHEREFORE, Based upon the foregoing, Petitioners respectfully request that the Commission:

¹⁸ 47 C.F.R. §§ 54.313 and 54.314.

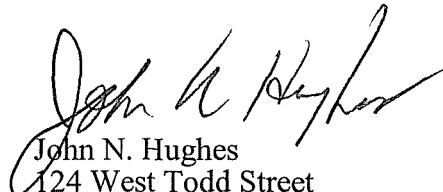
(a) amend the Petitioners' ETC designation in the Commonwealth of Kentucky as requested herein;

(b) re-certify the Petitioners' use of universal service support for calendar year 2008 utilizing the format provided in Exhibit H; and

(c) grant such other and further relief as the Commission deems just and proper.

Respectfully submitted this 31st day of January, 2008.

Dated: January 31, 2008


John N. Hughes
124 West Todd Street
Frankfort, Kentucky 40601
(502) 227-7270

Counsel for Petitioners

**BEFORE THE PUBLIC SERVICE COM
THE STATE OF KENTUCK**

original

In the Matter of)

Petition of NPCR, Inc. d/b/a Nextel)
Partners, for Designation as an Eligible)
Telecommunications Carrier in the State of)
Kentucky)

Case No. 2003-00143

VERIFICATION

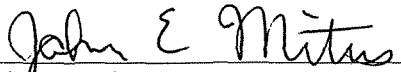
John E. Mitus, being first duly sworn, hereby certifies as follows:

1. I serve as Manager of the ETC Program Office for Sprint Nextel Corporation ("Sprint Nextel").

2. I have reviewed the foregoing Petition of NPCR, Inc. d/b/a Nextel Partners, on behalf of itself and its corporate affiliates Nextel West Corporation, Sprint Spectrum, L.P., and SprintCom, Inc. to Amend its Eligible Telecommunications Carrier Designation and I declare under penalty of perjury under the laws of the State of Kentucky that the foregoing is true and correct.

3. I further certify that Sprint Nextel provides all the services and functionalities supported by the Commission and the federal universal service program as set forth in 47 U.S.C. § 254(e) and Section 54.101(a) of the FCC's rules throughout the designated ETC Service Areas; that all federal high-cost universal service support received by Sprint Nextel will be used pursuant to 47 U.S.C. § 254(e) only for the provision, maintenance and upgrading of facilities and services for which the support is intended; that Sprint Nextel provides the supported services using its existing network infrastructure, which includes the antennas, cell-sites, towers, trunking, mobile switching, and interconnection facilities owned or leased by the Company, used

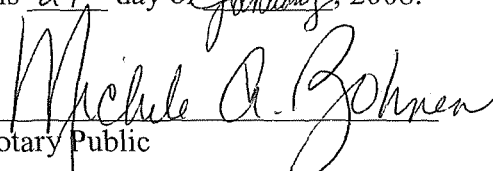
to serve PCS and iDEN customers; and that Sprint Nextel will make available and advertise Lifeline service to qualifying low-income customers in compliance with 47 C.F.R. § 54.405.



John E. Mitus

Subscribed and sworn to before me
this 29th day of January, 2008.

(SEAL)



Notary Public

5-19-2008

EXHIBIT A

Kentucky Public Service Commission Designation of NPCR, Inc.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF NPCR, INC. D/B/A NEXTEL)	
PARTNERS FOR DESIGNATION AS AN)	CASE NO.
ELIGIBLE TELECOMMUNICATIONS CARRIER)	2003-00143
IN THE STATE OF KENTUCKY		

O R D E R

On April 23, 2003, NPCR, Inc. d/b/a Nextel Partners ("Nextel") filed an Application for Designation as an Eligible Telecommunications Carrier ("ETC") in certain rural and non-rural areas of Kentucky in which it provides service. The Commission granted intervention requests of the Independent Telephone Group¹ and TDS Telecom. Nextel specifically requested that it be granted ETC status in service areas of Leslie County Telephone,² Lewisport Telephone Company, Logan County Telephone Company, Mountain Rural Telephone Company, Peoples Rural Telephone Company, South Central Rural Telephone Company, certain wire centers of BellSouth Telecommunications, Inc., and Kentucky ALLTEL, Inc.

¹ The Independent Telephone Group consists of Ballard Rural Telephone Cooperative Corporation, Inc.; Brandenburg Telephone Company; Coalfields Telephone Company; Duo County Telephone Cooperative Corporation, Inc.; Foothills Rural Telephone Cooperative Corporation, Inc.; Highland Telephone Cooperative, Inc.; Logan Telephone Cooperative, Inc.; Mountain Rural Telephone Cooperative Corporation, Inc.; North Central Cooperative Corporation; Peoples Rural Telephone Cooperative Corporation, Inc.; South Central Rural Telephone Cooperative Corporation, Inc.; Thacker-Grigsby Telephone Company, Incorporated; and West Kentucky Rural Telephone Cooperative Corporation, Inc.

² Nextel amended its petition to exclude Leslie County Telephone.

The Commission set up a procedural schedule in which data requests were exchanged, parties were allowed to submit comments, and parties were allowed to request a public hearing, which was requested and granted. The Commission held the public hearing on May 25, 2004, and the parties subsequently filed briefs and reply briefs. The matter is now ripe for Commission decision.

Discussion

Section 254(e) of the Telecommunications Act of 1996 (“the Act”) provides that “only an eligible telecommunications carrier designated under Section 214(e) shall be eligible to receive specific Federal universal service support.”³ Pursuant to Section 214(e)(1), a common carrier designated as an ETC must offer and advertise the services supported by the federal universal service mechanisms throughout the designated service area.⁴

Section 214(e)(2) of the Act provides state commissions with the primary responsibility for determining ETC designations. Under Section 214(e)(6), the Commission may, with respect to an area served by a rural telephone company, and shall, in all other cases, designate more than one common carrier as an ETC for a designated service area, consistent with the public interest, convenience, and necessity, so long as the requesting carrier meets the requirements of Section 214(e)(1).⁵ Before

³ 47 U.S.C. § 254(e).

⁴ 47 U.S.C. § 214(e)(1).

⁵ 47 U.S.C. § 214(e)(6).

designating an additional ETC for an area served by a rural telephone company, the Commission must determine that the designation is in the public interest.⁶

An ETC petition must contain the following: (1) a certification that the petitioner offers or intends to offer all services designated for support by the Commission pursuant to Section 254(c); (2) a certification that the petitioner offers or intends to offer the supported services “either using its own facilities or a combination of its own facilities and resale of another carrier’s services”; (3) a description of how the petitioner “advertise[s] the availability of [supported] services and the charges therefore using media of general distribution”; and (4) identification of its study area if the petitioner meets the definition of a “rural telephone company” pursuant to Section 3(37) of the Act, or, if the petitioner is not a rural telephone company, a detailed description of the geographic service area for which it requests an ETC designation from the Commission.

The intervenors⁷ brought up a new argument in the post-hearing brief against allowing Nextel’s petition to be an ETC. The intervenors argue that Nextel is not properly registered as a corporation to do business in the state of Kentucky under KRS 365.015(2)(a) and has not filed the appropriate documents with the Secretary of State for an assumed name, “Nextel Partners.” Nextel asserts in its reply brief that it has filed the appropriate documents with the Secretary of State and that the name “Nextel Partners” is registered with NEXTEL WIP Lease Corp. NEXTEL WIP Lease

⁶ Id.

⁷ The intervenors that actively participated in this proceeding and that are referenced throughout this memo refer to Logan Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., Peoples Rural Telephone Cooperative Corporation, Inc., South Central Rural Telephone Cooperative Corporation, Inc., and the Independent Telephone Group.

Corp. is under the same corporate ownership as NPCR, Inc. The Commission finds that the applicant is properly registered to do business in the state of Kentucky.

Offering the Services Designated for Support

Nextel has demonstrated through the required certifications and related filings that it now offers, or will offer upon designation as an ETC, the services supported by the federal universal service mechanism. As noted in its petition, Nextel is authorized to provide cellular radiotelephone service in the 800 MHz band. Nextel certifies that it now provides or will provide, throughout its designated service area, the services and functionalities enumerated in Section 54.101(a) of the Federal Communications Commission's ("FCC") rules. Nextel has also certified that, in compliance with rule section 54.405, it will make available and advertise Lifeline service to qualifying low-income consumers. Furthermore, Nextel has made commitments that closely track those set forth in the Virginia Cellular Order⁸ and Highland Cellular Order,⁹ including: (1) annual reporting of progress toward build-out plans, unfulfilled service requests, and complaints per 1,000 handsets; (2) specific commitments to provide service to requesting customers in the area for which it is designated, including those areas

⁸ Federal-State Joint Board on Universal Service, Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia, Memorandum Opinion and Order, CC Docket No. 96-45, 19 FCC Rcd. 1563 (2004) (Virginia Cellular Order).

⁹ Federal-State Joint Board on Universal Service, Highland Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia, Memorandum Opinion and Order, CC Docket No. 96-45, 19 FCC Rcd. 6422 (2004)(Highland Cellular Order).

outside existing network coverage; and (3) specific commitments to construct new cell sites in areas outside its network coverage.¹⁰

The intervenors argue that Nextel does not provide service throughout the rural area in which it seeks designation as an ETC. Signal propagation maps support, and Nextel admits, that it is unable to provide service at this time to all areas. The FCC has determined that a telecommunications carrier's inability to demonstrate that it can provide ubiquitous service at the time of its request for designation as an ETC should not preclude its designation as an ETC. Moreover, Nextel has committed to improve its network and reach out to areas that it does not currently serve.

The intervenors argue that Nextel fails to offer supported services, such as the Lifeline and Link-Up programs, and suggest that the participation rate in Lifeline/Link-Up will not increase even if Nextel were to offer the associated discounts. Nextel states that it will participate in the Lifeline and Link-Up programs and will otherwise comply with all Commission rules governing universal service programs. Based on a review of the record, the Commission finds that Nextel has demonstrated that it now offers, or will offer, once designated, the services suggested by the federal universal service mechanism.

Offering the Supported Services Using a Carrier's Own Facilities

Nextel states that it intends to provide the supported services using its existing network infrastructure. Nextel currently provides the service using its facilities-based digital network infrastructure and licensed CMRS spectrum in Kentucky. The

¹⁰ Nextel has provided detailed information on how it will use universal service support to construct cell sites throughout the area in which it is designated as an ETC.

intervenors argue that Nextel may be unable to serve throughout the service areas of the rural carriers and that the assertions of the applicant have not been supported with either cost studies or capital plans to provide service.

Section 214(e)(4) explains that a secondary ETC may be required to “ensure that all customers ... continue to be served” should a primary ETC (i.e., incumbent LEC) “cease providing universal service in an area served by more than one eligible telecommunications carrier.” The implications are that ETC status has significant potential obligations if universal service to end-users ever becomes compromised.

The Commission finds that Nextel has demonstrated that it satisfies the requirement of Section 214(e)(1)(A) that it offer the supported services using either its own facilities or a combination of its own facilities and resale of another carrier’s services. The Commission will monitor the progress of Nextel’s build-out and ability to serve its customers through regulatory reports detailed later in this Order.

Advertising Supported Services

Nextel has demonstrated that it satisfies the requirement of Section 214(e)(1)(B) to advertise the availability of the supported services and the charges therefore by using media of general distribution. The intervenors, however, contend that Nextel does not direct its advertising directly at consumers in the rural areas and only focuses on major metropolitan areas. In its petition, Nextel states that it currently advertises the availability of its services and will do so for each of the supported services on a regular basis in newspapers, magazines, television, and radio in accordance with Section 54.201(d)(2) of the FCC’s rules. Nextel has provided lists of its advertising that show it does advertise throughout the state and the rural areas. The Commission finds that

Nextel has demonstrated that it will advertise the availability of suggested services and charges therefore.

Non-Rural Study Areas

The FCC previously has found designation of additional ETCs in areas served by non-rural telephone companies to be per se in the public interest based upon a demonstration that the requesting carrier complies with the statutory eligibility obligations of Section 214(e)(1) of the Act.¹¹ The Commission believes that Nextel's public interest showing here is sufficient, based on the detailed commitments Nextel has made to ensure that it provides high-quality service throughout the proposed rural and non-rural service areas; that is, if Nextel has satisfied the more rigorous public interest analysis for the rural study areas, it follows that its commitments satisfy the public interest requirements for non-rural areas.

Rural Study Areas

In considering whether designation of Nextel as an ETC in areas served by rural telephone companies will serve the public interest, the Commission must consider whether the benefits of an additional ETC in such study areas outweigh any potential harm. In determining whether designation of a competitive ETC in a rural telephone company's service area is in the public interest, the Commission must weigh the benefits of increased competitive choice, the impact of the designation on the universal service fund, the unique advantages and disadvantages of the competitor's service offering, any commitments made regarding quality of telephone service, and the

¹¹ See, e.g., Cellco Partnership d/b/a Bell Atlantic Mobile Petition for Designation as an Eligible Telecommunications Carrier, Memorandum Opinion and Order, CC Docket No. 96-45, 16 FCC Rcd. 39 (2000).

competitive ETC's ability to satisfy its obligation to serve the designated service areas within a reasonable time frame.

The Commission finds that Nextel's universal service offering will provide a variety of benefits to customers. For instance, Nextel has committed to provide customers access to telecommunications and data services where they do not have access to a wireline telephone. In addition, the mobility of Nextel's wireless service will provide benefits such as access to emergency services that can mitigate the unique risks of geographic isolation associated with living in rural communities. Moreover, Nextel states that it offers larger local calling areas than those of the incumbent LECs it competes against, which could result in fewer toll charges for Nextel's customers. Further, Nextel has made service quality commitments comparable to those made by petitioners in the Virginia Cellular Order and Highland Cellular Order, including compliance with the Cellular Telecommunications Industry Association ("CTIA") Consumer Code for Wireless Service.¹²

¹² CTIA, Consumer Code for Wireless Service, available at http://www.wow-com.com/pdf/The_Code.pdf. Under the CTIA Consumer Code, wireless carriers agree to: (1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.

Public Interest Analysis

In determining whether the public interest is served, the burden of proof is upon the ETC applicant.¹³ Nextel asserts that granting ETC designation to Nextel will provide rural consumers the benefits of competition through increased choices and further the deployment of new telecommunications services. It also asserts that granting the request will not harm consumers. The Commission finds that Nextel has satisfied the burden of proof in establishing that its universal service offering in this area will provide benefits to rural consumers.

Certification in Designated Service Areas

The Commission finds that Nextel should be certified to receive Universal Service Fund support for the current certification period as an ETC in the service areas served by non-rural telephone companies, as designated herein. The Commission also finds that Nextel should be certified to receive Universal Service Fund support for the current certification period as an ETC in the service areas served by rural telephone companies, as designated herein. Nextel's service area for each rural telephone company encompasses that company's entire study area.

Regulatory Oversight

Separately, and in addition to its annual certification filing under rule sections 54.513 and 54.314, Nextel has committed to submit records and documentation on an annual basis detailing: (1) its progress towards meeting its build-out plans; (2) the number of complaints per 1,000 handsets; and (3) information detailing how many

¹³ See Highland Cellular Order, 19 FCC Rcd. at 6431, ¶ 20; Virginia Cellular Order, 19 FCC Rcd. at 1574-75, ¶ 26.

requests for service from potential customers were unfulfilled for the past year. The Commission will require Nextel to file this information and make available to the Commission any other information as it relates to service. The information shall be filed in the record of Administrative Case No. 381¹⁴ by September 1 of each year.

IT IS THEREFORE ORDERED that:

1. Nextel shall be designated an ETC in the geographic areas requested and as listed in Appendix A, attached hereto and incorporated herein.
2. Nextel shall offer universal support services to consumers in its service area.
3. Nextel shall offer these services using its own facilities or a combination of its own facilities and resale of another carrier's services, including services offered by another.
4. Nextel shall advertise the availability of and charges for these services using media of general distribution.
5. Nextel is hereby certified as complying with the FCC's criteria, in accordance with 47 U.S.C. § 254(e), and therefore eligible to receive Universal Service Fund support for the current certification period.
6. By September 1, 2005, and each September 1 thereafter, Nextel shall make its annual certification filing in Administrative Case No. 381 and shall submit additional records as described herein.

¹⁴ Administrative Case No. 381, A Certification of the Carriers Receiving Federal Universal Service High-Cost Support.

7. A copy of this Order shall be served upon the Federal Communications Commission and the Universal Service Administration Company.

Done at Frankfort, Kentucky, this 16th day of December, 2004.

By the Commission

Commissioner W. Gregory Coker did not participate in the deliberations or decision concerning this case.

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2003-00143 DATED December 16, 2004

Designated areas for which Nextel is granted ETC Designation

1. Rural Telephone Company Study Areas

260412 Lewisport Telephone Company
 260413 Logan County Telephone Company
 260414 Mountain Rural Telephone Company
 260415 Peoples Rural Telephone Company
 260418 South Central Rural Telephone Company

2. Non-Rural ILEC Wire Centers

265182 BellSouth – KY

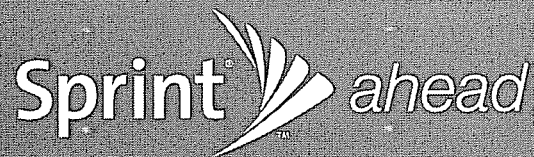
BDFRKYMA	ENSRKYMA	LOUSKYES	MLBGKYMA	SDVLKYMA
BGDDKYMA	FKLNKYMA	LRBGKYMA	MLTNKYMA	SEBRKYMA
BLFDKYMA	FNVLKYMA	LSVLKY26	MTEDKYMA	SHVLKYMA
BRGNKYMA	FORDKYMA	LSVLKYAN	MTSTKYMA	SLPHKYMA
BRTWKYES	FRFTKYES	LSVLKYAP	MYVLKYMA	SLVSKYMA
BWLGTKYMA	FRFTKYMA	UVLKYBE	NRVLKYMA	SNTNKYMA
BWLKGYRV	GHNTKYMA	LSVLKYBR	NWHNKYMA	SPFDKYMA
BYVLKYMA	GRTWKYMA	LSVLKYCW	OKGVKYES	SRGHKYMA
CHPLKYMA	HABTKYMA	LSVLKYFC	OWBOKYMA	SSVLKYMA
CLPTKYMA	HANSKYMA	LSVLKYHA	OWTNKYMA	STCHKYMA
CMBGKYMA	HBVLKYMA	LSVLKYJT	PARSKYMA	STFRKYMA
COTNKYMA	HDBGKYMA	LSVLKYOA	PDCHKYMA	STGRKYMA
CRBNKYMA	HNSNKYMA	LSVLKYSH	PIVLKYMA	STRGKYMA
CRBOKYMA	HPVLKYMA	LSVLKYSL	PKVLKYMA	TYVLKYMA
CRLSKYMA	HRBGKYES	LSVLKYSM	PLRGKYMA	UTICKYMA
CRTNKYMA	HRFRKYMA	LSVLKYTS	PNTHKYMA	WACOKYMA
CYDNKYMA	HRLNKYMA	LSVLKYVS	PNVLKYMA	WDDYKYMA
CYNTKYMA	HWVLKYMA	LSVLKYWE	PRTNKYES	WHVLKYMA
DAVLKYMA	JCSNKYMA	MACEKYMA	PRVLKYMA	WLBGKYMA
DIXNKYMA	JLLCTNMA	MCDNKYMA	PTRYKYMA	WLVLKYMA
EDVLKYMA	JNCYKYMA	MDBOKYMA	RBRDKYMA	WNCHKYMA
EKTNKYMA	KKVLKYMA	MDVIKYMA	RCMDKYMA	WNCHKYPV
EMNNKYES	LBJTKYMA	MGFDKYMA	RLVLKYMA	WSBGKYMA
EMNNKYPL	LGRNKYES	MGTWKYMA	RSTRKYES	WSPNKYMA

269690 Kentucky ALLTEL, Inc.

AGSTKYXA	CTBGKYXA	HZRDKYXA	LXTNKYXG	SHBGKYXA
ALBYKYXA	CYVLKYXA	IRVNKYXA	MDWYKYXA	SHDNKYXA
ASLDKYXA	EBNKKYXA	LBNNKYXA	MEDSKYXA	SLLCKYXA
BBVLKYXA	EBRNKYAC	LBRTKYXA	MNCHKYXA	SMGVKYXA
BEREKYXA	EZTWKYXA	LNCSKYXA	MNTIKYXA	SMRTKYXA
BESPKYXA	FBSHKYXA	LONDKYXA	MRHDKYXA	SOVLKYXA
BRHDKYXA	FLLCKYXA	LRTTKYXA	MTOLKYXA	SSHRKYXA
BRSDKYXA	FMBGKYXA	LTFDKYXA	MTVRKYAI	VNRGKYXA
BSVLKYXA	GISGKYXA	LVTNKYXA	MYLCKYXA	VRSLKYXA
BTVLKYXA	GNBGKYXB	LXTNKYUK	NANCKYXA	WHLLKYXA
BWVLKYXA	GNUPKYXA	LXTNKYXA	NCVLKYXA	WLMRKYXA
CECLKYXA	GRSNKYXA	LXTNKYXB	OLHLKYXA	AGSTKYXA
CKSNKYXA	GYSNKYXA	LXTNKYXC	OWVLKYXA	
CLCTKYXA	HGVLKYXA	LXTNKYXD	PNLCKYXE	
CLMAKYXA	HLBOKYXA	LXTNKYXE	RSSLKYXB	
CMVLKYXA	HTVLKYXE	LXTNKYXF	SCHLKYXA	

EXHIBIT B

Sample Advertisement



Sprint Presents Lifeline and Link Up Service

Lifeline and Link Up are public assistance programs offering wireless telephone discounts to qualified, low-income consumers. Under the Lifeline program, eligible subscribers may receive a discounted monthly charge of \$16.49 per month in most areas. Eligible residents of federally recognized Tribal lands may qualify to receive additional discounts off the monthly charge for Lifeline service. Link Up assistance helps qualified, low-income customers pay the activation fee.

Eligibility requirements vary by state. In many states, you may qualify for Lifeline assistance if you comply with certain income level requirements or you currently participate in certain public assistance programs.

For further information about Lifeline and Link Up assistance or to receive an application form, please call Sprint toll free at 888-408-3306.

NOTICE: Lifeline is only available to Sprint subscribers in limited geographic areas, and for one wireline or wireless phone line per household. You may only receive the Link Up discount once at the same address. Additional restrictions apply. ©2007 Sprint Nextel. All rights reserved. SPRINT, the logo and other trademarks are trademarks of Sprint Nextel.

EXHIBIT C

Kentucky Emergency Operations Plan



Sprint Business Continuity Program Overview



Disclaimer

This document may not be duplicated, modified, used by or disclosed to a third party without the prior express written consent of Sprint Nextel Corporation.

1. Purpose

The purpose of this document is to provide approved information that can be shared with interested parties in order to illustrate that Sprint is committed to an efficient and effective corporate approach with respect to Business Continuity Planning and Disaster Response. This document will explain the core components of the Sprint Business Continuity Program and the structure by which it is implemented.

2. Communication Tiers

In order to share pertinent Business Continuity and Disaster recovery information to a variety of external parties, Sprint has created three layers of BCP/DR external communications. This Tier approach will allow Sprint to be effective in communicating the right level of detail yet protect the company from sharing proprietary information. **This document is considered Tier I.**

3. Business Continuity Program Mission

To optimize the continuation of the company's mission critical processes and services when faced with significant business disruptions while minimizing financial impact and damage to Sprint's brand, its employees, and customers.

4. Program Introduction

As businesses, government agencies, and individual consumers become more and more reliant on wireline and wireless communications as well as remote access to information, the concept of Business Continuity has never been more important. Sprint takes Business Continuity to the next level by ensuring that it is part of the corporation's business philosophy. This philosophy promotes utilizing business continuity principles, guidelines, and standards by all company employees in their day to day business operations. This program includes a collection of business resumption and disaster response plans that are designed to ensure the company has implemented cost effective risk reduction strategies for crucial assets such as employees, network components, processes, and facilities.

5. Program Structure Overview

The corporation has established a structure that is designed not only for the purposes of impact assessments and decision making during an event, but also includes teams and committees dedicated to analyzing and assessing business risks as well as establishing the strategic direction for mitigating these risks.

Executive Command Team (ECT) - The ECT consists of executives representing all critical Sprint functions. The ECT is the executive sponsor of the overall business continuity program. The ECT approves all policies, guidelines, strategies, and initiatives both proactively and also during a disaster.

Officer Business Continuity Committee (OBCC) - The OBCC consists of Vice President level individuals who oversee the implementation of the business continuity program across the company to assure overall compliance with program objectives, review collaborative and cost effective risk reduction recommendations, align key stakeholders around approved implementation strategies and priorities, and provide guidance to the BCO and the Business Continuity Committee.



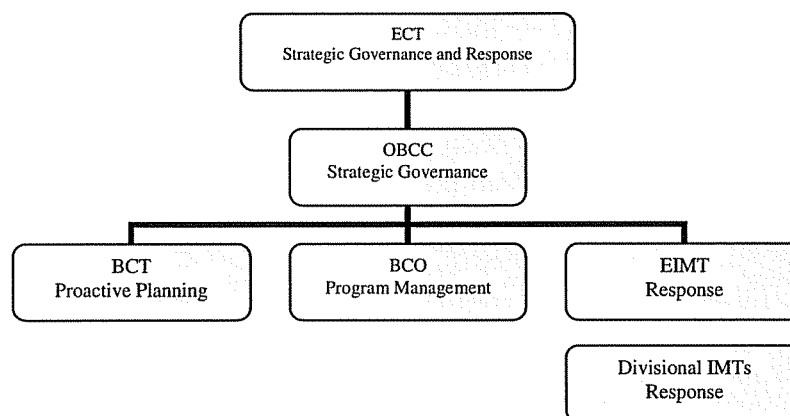
Business Continuity Office (BCO) - The BCO is the program office responsible for establishing the policy, structure, and methodology for developing, maintaining, and testing enterprise-wide Continuity and Disaster Response Plans. During an incident, the BCO is responsible for coordinating cross functional incident management activities of the Enterprise Incident Management Team.

Business Continuity Teams (BCTs) - BCTs develop business continuity plans and execute these plans and crisis procedures in the event of a business disruption. The BCTs are organized to represent all business areas at Sprint: Network Services, IT Services, Business Solutions, Consumer Solutions, and Corporate Function teams (Human Resources, Facilities, Security, Corporate Communications, Legal, Supply Chain Management and Finance). Sprint's Emergency Response Team (ERT) is a customer facing team that provides support services to communities and government agencies in need of temporary communications, providing priority access and handsets during widespread events.

Enterprise Incident Management Team- The Enterprise Incident management Team (EIMT) convenes quickly to provide the logistical support required to respond to and recover from an incident in an expeditious manner. Once an event has been declared a disaster, the EIMT transitions to an Incident Command System (ICS) structure. Sprint utilizes ICS as the recognized response system for providing restoration of the network and critical business process recovery. The EIMT has the most current status regarding internal response and recovery efforts. This team is intended to be an implementation support organization for all divisions within the company, to provide the necessary resources to assist with the restoration efforts.

Incident Management Team- Sprint has incident management teams in all major divisions. The divisional IMTs are responsible for coordinating disaster response efforts within their respective departments. All IMTs have an IMT chair that will represent their department on the EIMT to provide status updates as well as present any issues that may require corporate guidance, support, and escalation.

Corporate Structure Diagram



6. Corporate Business Continuity Program Implementation



In implementing the Business Continuity Program, Sprint uses practices as defined by the industry common body of knowledge. FEMA, Business Continuity Institute (BCI), Disaster Recovery Institute International (DRII), and the American National Standards Institute (ANSI) have endorsed this methodology. Components of the program include:

- Program Initiation**
- Risk Identification & Assessment**
- Risk Reduction**
- Plan Building**
- Develop and Conduct Exercises**
- Training and Awareness**
- Sustainability and Process Improvement**
- Program Performance Reporting**

6.1 Program Initiation

During this timeframe the business continuity scope, project plan, and deliverables are determined by the Business Continuity Teams and other stakeholders involved in the program. Kick-off meetings are conducted to familiarize management and employees within the business unit of the purpose of the program. Division leads send out formal written communication that acknowledges their support and sponsorship of Business Continuity and outlines the expectation of support from all of their respective organization's associates in meeting key BCP objectives.

6.2 Risk Identification & Assessment

This phase includes performing Business Impact Assessments and Location Risk Assessments. The process involves identifying significant exposures that can, if not addressed, adversely impact Sprint's ability to perform its critical processes.

6.3 Risk Reduction

This portion of the process focuses on investigating cost effective measures by which the company can minimize impact to identified exposures. Mitigation strategies are documented and reviewed for approval.

6.4 Plan Building

Building and maintaining detailed plans is an integral part of Sprint's continuity strategy. This phase includes documenting contact information and task lists required to mobilize and recover critical business processes and systems during a crisis event. Sprint's plans include: Business Resumption Plans, Disaster Recovery Plans and Incident/Crisis Management Plans. Plans are kept current and relevant by reviewing and updating annually or if any of the previously mentioned triggers occur.

6.5 Develop and Conduct Exercises

The BC Program routinely conducts exercises to evaluate plans, educate personnel, and to test functions and operational capability of Sprint's Internal Emergency Operating Centers. Sprint conducts exercises routinely to validate plans and train employees. Information related to these exercises is propriety to Sprint. Additionally, as part of the nation's critical infrastructure, Sprint participates in many coordinated situation drills with FEMA, the Department of Homeland Security, and state emergency management agencies to ensure our coordinated preparedness and response during a disaster. The most common types of exercises conducted are: Table Top, Walk-through, Functional drills, and Full-scale.

Tabletop Exercises

In a round-table setting, members of the response team meet to discuss their responsibilities and describe how they would react as a team to an emergency scenario. They identify areas of overlap and confusion in a cost-effective and efficient manner before conducting a more demanding exercise.

**Walk-Through Drills**

Both management and the response team perform their emergency functions within the emergency response location.

Functional Drills

These drills are designed to test specific functional processes within the recovery plan such as notification, response, communications, documentation, and team cohesiveness. In most cases, these functions should always be tested separately to help identify improvement areas and to eliminate confusion. Outside observers are often used to evaluate these exercises.

Full-scale Exercises

Exercises simulated to be as close as possible to a real-life disaster. They usually involve the entire disaster team, management, field operations, and outside agencies. During the simulated exercise, team members are expected to actually perform their disaster responsibilities.

6.6 Training and Awareness

To ensure all employees are aware of the program and prepared for a crisis event, Sprint has a formal Business Continuity training and awareness program. Sprint utilizes the internal training organization, Sprint University, to develop a variety of training resources for Sprint associates. Company training and awareness resources include online training, a corporate continuity website, and orientation and educational sessions. These sessions are regularly scheduled discussion seminars that provide information, answer questions, and identify needs and concerns from employees.

6.7 Sustainability and Process Improvement

The Business Continuity Program is considered an ongoing and ever evolving initiative. Company-wide After Action Reviews (AAR) are hosted by professional facilitators from the Sprint University. In addition, individual departments will host AAR sessions. Information from these reviews is used to improve efficiency of business continuity and disaster response processes. Lessons learned, exercise results, or major organizational changes are all examples of triggers that would cause Sprint to re-evaluate existing procedures and modify them for optimal response.

6.8 Performance Reporting

The Business Continuity Office reports to Sprint's Executive Management and the Board of Directors, on an annual basis, regarding the status of the Sprint's Business Continuity Program and Sr. Management's overall assessment of risk to the organization. Sprint has an internal Maturity Model for benchmarking Business Continuity Program success and progress. In addition, 3rd party auditors have been brought in to measure Sprint's Business Continuity and Disaster Response programs.

7. Declaring Company Threat Levels

Sprint Nextel has defined four incident severity levels with internal triggers to escalate when an incident escalates. These incident severity levels in increasing order are: Business As Usual, Threat, Incident Command and lastly Company Jeopardy.

8. EIMT Incident Command Center (ICC)

The EIMT ICC serves as a centralized incident management center to manage disaster-related response operations. This center is a central work location for EIMT members to join together to manage response and restoration activities. There are two geographically redundant EIMT ICCs, and alternate locations identified as well.



9. Network Resiliency Overview

9.1 Network Incident Management Team

Network Services' implementation of ICS stays true to the core principles of ICS. This enables Sprint to leverage this best practice in wide-scale responses, using common terminology and standard organizational structures, to communicate efficiently internally and with customers such as Public Safety agencies as many of these agencies utilize ICS as well. Teams train on and deploy in standard ICS Sections, branches, units and strike teams, and emphasize span of control, comprehensive resource management, and other ICS principles.

Network teams leverage Sprint tools such as Priority Connect, Direct Talk units, (off-network unit-to-unit communications) GPS hand held units, camera phones, laptop wireless cards, and Blackberry devices to aid in response communication, situation assessment and resource tracking. The teams also maintain a pool of Satellite phones as a contingency plan to use in restoration. Teams continue to create innovative response tools, such as the unique Satellite backhaul SatCOLTs (Cell on Light Truck) that enable restoration of service when a traditional T1 circuit is not available.

The Network IMT receives notification of an actual or potential situation that requires activation (hurricane, earthquake, regional power outage, other event where business as usual would not resolve the situation), establishes the Emergency Operations Center (EOC), performs an initial overall assessment, establishes monitoring bridge(s), coordinates between agencies impacted by the event, assigns tasks, gathers status information, and performs executive notifications at prescribed times.

9.2 Cell Site Disaster Planning-

Sprint's priority site restoration plan focuses resources and speeds recovery partly by making sure that existing infrastructure is operating properly under normal circumstances and by having a reaction plan for abnormal circumstances. To accomplish this, Sprint has implemented a detailed preventative maintenance program on all site hardware to insure all systems and redundant equipment is in proper working order. Sprint sites are equipped with battery backup. This is often enough time to deploy a generator until the power can be restored. Sprint maintains a fleet of mobile generator sets, which can be deployed to all Sprint service areas.

9.3 Cellular Network Disaster Planning

The Sprint wireless networks consist of multiple circuits on various combinations of copper, fiber, and microwave radio systems. Most of our hub locations are placed on their SONET bi-directional fiber rings. These rings significantly reduce the chance of network failure due to cable dig ups, equipment failures, or other potential causes of service interruptions. Sprint's radio network provides significant overlapping coverage areas throughout our market areas, which often allow cell sites to fully or partially compensate if a single neighboring cell site is inoperative. Also in an effort to minimize service impact when a site is down, Sprint maintains a fleet of "Cell On Wheels" (COWs) devices, which are portable and self-contained cell sites. These COWs can be deployed to restore coverage from a damaged site or provide additional capacity in the immediate vicinity of an incident.

9.4 Switch Locations Disaster Planning

Sprint has implemented a distributed architecture for interconnection redundancy utilizing dual fiber facilities at all of our switch locations. These main switch locations currently have battery backup as well as permanent generators. In addition, site recovery plans have been developed for all major switch locations, prioritizing available options for relocation, and ensuring agility when faced with disaster recovery issues.

9.5 Overall Network Performance Management Efforts

The performance of Sprint's networks is monitored 24 hours a day, 7 days per week, 365 days a year by the Network Monitoring Centers (NMCs). In addition, local switching offices staffed by trained



technicians and management coordinate with these larger operations centers, to ensure that Sprint's networks are properly maintained and network performance is at expected levels.

9.6 Network Restoration Prioritization

Sprint's Interconnection Solutions team works closely with Sprint Business Solutions (SBS) in establishing the customer prioritization once the backbone, TSP (Telecommunications Service Priority) and Critical Life Circuits are re-established. Sprint has an established service restoration priority and process.

10. Information Technology Resiliency Overview

10.1 Information Technology Incident Management Team

The IT Incident Management Team (IT IMT) provides timely decision making processes in the declaration of a disaster to ensure the proper decisions are made and communicated across the enterprise. The IT IMT team structure will minimize the disaster declaration time and potentially minimize the length of the event by quickly reacting to the event. The IT IMT is also responsible for maintaining and facilitating the execution of the recovery plans in conjunction with Resource & Priority Management (RPM).

10.2 Information Technology Incident Command Centers

The IT IMT Command Center serves as a centralized arena to manage disaster related operations. Recovery personnel execute defined processes and procedures, communicate and provide resources to effectively assess and manage disaster events. The Incident Command Centers are geographically redundant.

10.3 Data Center and System Resiliency Planning

The IT IMT is a proactive planning group that works in partnership with peer IMT organizations. The collective team is responsible for the accuracy and integrity of current information in their particular area of responsibility, including internal procedures, available systems, resources, call trees and points of contact. The IT IMT provides personnel with the necessary resources to assist with the restoration process. Sprint-Nextel Data Centers are held to exceptionally high and stringent industry, but more importantly, self imposed standards of structural design, engineering, technology, redundancy, security, maintenance and 24x7 operations. Data Centers are geographically diverse and have the capability to execute an internally developed disaster recovery methodology of Internal Business Recovery (IBR) where on Data Center functions as the recovery site for another Data Center.

10.4 IT Network Restoration Prioritization

Critical Applications supporting the internal and external client community have been prioritized based on application impact analysis in order to expedite and control the recovery process. Data required for recovery of operating systems, production libraries, and application systems are backed up regularly and placed in off-site storage.

11. Emergency Response Team

Sprint Nextel's Emergency Response Team (ERT) is an experienced, cross-functional group consisting of a dedicated, full-time core team and hundreds of reservists across the country, that provides wireless telecommunications equipment, infrastructure and personnel operations support to federal, state and local public safety, law enforcement, military agencies and private Sector Organizations during declared emergencies, field training exercises, agency-specific events and National Special Security Events.

The ERT designs and implements the internal policies and procedures necessary to enable timely and effective deployments of Sprint Nextel's products and services. The ERT fully supports high-volume, short-



notice equipment needs of emergency and disaster personnel with its portable cellular sites, microwave facilities, and inventory of twenty thousand ruggedized iDEN handsets and 1200 CDMA handsets.

ERT has deployed in support of a number of for Free & for Fee deployments supporting federal, state and local Public Safety, Law Enforcement and Military organizations; including 22 Presidential declared disasters since 2002. Sprint Nextel's ERT supports 4 types of deployments: Disaster Support, Field Training Exercises, Agency Specific Event Support and National Special Security Event support.

The EOC Initiative

During a number of recent disasters, reservists staffed State and Local Emergency Operations Centers (EOC) to relay first hand information back to agencies that rely on critical communications. Having reservist representation at EOC's is valuable for a number of reasons: Reservists provide real time information and status updates to the EOC's on the progress of our network recovery efforts ; Allows State EOC's to provide direction on priority areas for Network restoration; Coordinate information from the other critical infrastructure functions, such as Energy/Power and Transportation; and obtain location of FEMA and other emergency responder command posts using Sprint-Nextel handsets to help plan for influx of capacity needs. The EOC initiative is an example of Sprint's proactive approach during an incident, through partnership, involvement and communications support. Partnering with Emergency Management agencies in cities and counties throughout the United States provides better coordination of Sprint and ERT support resources for Disaster Preparation and Response. Trained Reservists are more actively involved in providing their communities with critical volunteer support. Agencies are able to have a direct channel into Sprint approved support organizations with more expedited response times and capabilities, providing critical communications support when it's needed the most.

12. Actions Following Hurricane Katrina

Following Hurricane Katrina, Sprint Nextel performed after actions reviews to best determine how to improve its preparedness and response efforts. Actions taken to improve the program include:

a. Generator Deployments

- Deploying permanent generators at cell sites within hurricane prone states that support critical customers such as:
 - Public safety organizations
 - State and local Emergency Operation Centers
 - Hospitals and nursing homes
 - Major commercial airports and ports
 - Government facilities and military bases
- Installing permanent generators at approximately 800 CDMA and iDEN cell sites primarily in Florida by the end of 2006.
- Installing an additional 1,500 permanent generators at sites in Texas, Louisiana, Mississippi, Alabama, Georgia, the Carolinas, and other locations in Florida by the end of 2008.

b. Network Facilities

- Completed vulnerability assessments for critical network facilities.
- Constructing new Biloxi POP with an expected completion date of August 2006.
- Relocating the New Orleans switch to Hammond, LA. This site will replace the Kenner MSC and is projected to be completed in 1Q2008.
- Relocating the Houston Vantage MSC to the Houston Westland MSC.
- Moving a section of the SONET fiber ring between Mobile, AL and Hammond, LA 15 miles north to a path further inland, away from flood-prone areas along the Gulf Coast. The construction of the new route is expected to be completed in mid-August, with traffic fully migrated by the end of the year.
- Completed DWDM, SS7, STP, HLR signaling diversity audits.

**c. Advanced Forecast Centre (AFC)**

- Fore-warn system - Allows land strike probability days in advance
- Weekly weather update regarding future storm development
- Website on-demand information

d. Restoration Processes

- Developed enhanced circuit restoration plan including the ability to quickly poll circuit inventories and prioritize restoration based on business unit input.
- Circuit Analysis includes "homed, pass through circuits, and backbone.
- Platform Identification and re-route opportunities
- Developed a cross organizational process to manage a total site loss scenario.
- Conducted a series of exercises in the field and with national disaster recovery teams targeting severe weather events and total site loss scenarios to improve existing processes, enhance education of response organizations, and improve coordination between organizations in the recovery processes.

e. Event Management & Communication

- Developed enhanced event communication plans, including internal, media and critical customers (e.g. Executive Event Communications).
- Implemented the Incident Command System (ICS) methodology within Network Services to improve event response and management.
- Refined processes to grant essential employees priority access for completing calls during high utilization situations (i.e. GETS & WPS).
- Implementing new and improved tools to support event management and business impact analysis.
- Completed six table top disaster exercises and three full scale total site loss field exercise to prepare teams for the upcoming hurricane season.

f. Government/Industry Preparedness: Situational Reporting, Security & Access

- Negotiated with the FCC and DHS to determine specific information that is to be reported by carriers during major incidents.
- Developed approach for Sprint Nextel to provide consistent reporting to external entities including federal, state and local agencies.
- Updating law enforcement contacts in the hurricane prone regions to help facilitate access into restricted areas.
- Promoting within DHS the endorsement of the GA Access Pilot by other states in the southeast region.

g. Vendor Management

- Reviewing key vendor business continuity practices to ensure continuity of service to the company.
- Incorporate vendor BCP assessments into Supply Chain Management's core sourcing and contract negotiation process. Projected completion of the project is 2007 for adjustments to contracts.
- Developed a Fuel Delivery Management Process to enable all regions to engage, track, manage, and pay fuel vendors.
- Establishing Master Service Agreements and Disaster Response Statement of Works for fuel vendors who can provide service on a national scale.

EXHIBIT D

Sprint's Generally Available Service Plans

Sprint currently makes available a variety of service plans in Kentucky. Listed below are all of Sprint's generally available service plans as of July 15, 2007. Nearly all current rate plans include nationwide calling. In addition to the plans identified in the table, Sprint provides service offerings to customers under grandfathered or legacy service plans that are no longer available to new subscribers. Each service plan includes the Supported Services identified in 47 C.F.R. 54.101(a)(1)-(9). Sprint's service plans are subject to change.

<u>Name of Plan</u>	<u>Anytime Minutes</u>	<u>Off Peak Minutes</u>	<u>Additional Mobile-to-Mobile or Walkie-Talkie Minutes</u> ¹
Sprint Power Pack 450	450	Unlimited (7 PM)	Unlimited
Sprint Power Pack 900	900	Unlimited (7 PM)	Unlimited
Sprint Power Pack 1350	1350	Unlimited (7 PM)	Unlimited
Sprint Power Pack 2000	2000	Unlimited (7 PM)	Unlimited
Sprint Power Pack 4000	4000	Unlimited (7 PM)	Unlimited
Sprint Power Pack Unlimited	Unlimited	n/a	Unlimited
Sprint Power Pack Family 550	550	Unlimited (7 PM)	Unlimited
Sprint Power Pack Family 700	700	Unlimited (7 PM)	Unlimited
Sprint Power Pack Family 1400	1400	Unlimited (7 PM)	Unlimited
Sprint Power Pack Family 2100	2100	Unlimited (7 PM)	Unlimited
Sprint Power Pack Family 3000	3000	Unlimited (7 PM)	Unlimited
Sprint Free Incoming 300	300	Unlimited (9 PM)	Unlimited
Sprint Free Incoming 500	500	Unlimited (9 PM)	Unlimited
Sprint Free Incoming 800	800	Unlimited (9 PM)	Unlimited
Sprint Free Incoming 1000	1000	Unlimited (9 PM)	Unlimited
Sprint Basic 200	200	Unlimited (9 PM)	Available at extra cost
Sprint Month to Month	200	Unlimited (9 PM)	Available at extra cost
Sprint Business Essentials [®] Plan Add-On	0	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 400	400	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 1000	1000	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 1400	1400	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 2000	2000	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 3000	3000	Unlimited (7 PM)	Unlimited
Sprint Business Essentials [®] Plan 4000	4000	Unlimited (7 PM)	Unlimited
Lifeline	200	Unlimited (9 PM)	iDEN: 100 walkie-talkie minutes

¹ If the customer's phone uses the CDMA network, this category describes within-network mobile-to-mobile calling; if the customer's phone uses the iDEN network, this category describes within-network walkie-talkie service. In most plans, a customer using a dual-mode phone may purchase both unlimited walkie-talkie service and unlimited mobile-to-mobile calling at an extra cost.

EXHIBIT E

Iowa Utilities Board Order

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

NPCR, INC., d/b/a NEXTEL PARTNERS

DOCKET NO. 199 IAC 39.2

ORDER GRANTING MOTION TO AMEND ETC DESIGNATION

(Issued December 17, 2007)

On October 19, 2007, NPCR, Inc., d/b/a Nextel Partners (NPCR), filed a motion with the Utilities Board on behalf of NPCR and its corporate affiliates, Sprint Spectrum, L.P., and Nextel West Corp. (collectively "Sprint Nextel"), to amend a Board order issued May 15, 2003, pursuant to 199 IAC 39.2, granting eligible telecommunications carrier (ETC) designation to NPCR. NPCR seeks an amendment to the Board's May 15 order specifically allowing Sprint Spectrum, L.P., on behalf of itself and its corporate affiliates, to provide commercial mobile radio service (CMRS) in Iowa as a competitive ETC within the designated service area established for NPCR in the May 15 order.

In support of its motion, NPCR states that in the order issued May 15, 2003, the Board designated NPCR as a competitive ETC for a service territory consisting of the study areas of 120 rural telephone companies and of Qwest Corporation. NPCR states in August 2005, Sprint Corporation merged with Nextel Communications, Inc., to form Sprint Nextel Corporation. NPCR also states that in June 2006, Sprint Nextel Corporation acquired Nextel Partners, Inc., and each of its subsidiaries, including NPCR. NPCR states that it is now a wholly-owned subsidiary of Sprint Nextel Corporation.

NPCR asserts that there will be no change made to the study areas comprising the designated service area and that granting this motion will merely enable Sprint Nextel to receive federal universal service support for each eligible subscriber served by its corporate affiliates within the designated service area. NPCR also states that Sprint Nextel has engaged in discussions with staff from the Universal Service Administrative Company (USAC) about a possible modification and that USAC agrees that Sprint Nextel's affiliates should file with USAC under a single study area code (SAC), in this case, the existing SAC that was assigned to NPCR in the Board's May 15, 2003, order.

NPCR states that it has filed timely compliance statements and service quality reports pursuant to the requirements of 199 IAC 39.2 and Sprint Nextel commits that the federal universal service support it receives will be used only for the provision, maintenance, and upgrading of the facilities and services for which the support is intended, consistent with 47 U.S.C. § 254(e). NPCR also states that Sprint Nextel commits that it will comply with applicable Iowa statutes, rules, and regulations applicable to all competitive ETCs.

The Board has reviewed NPCR's request and finds that it is reasonable. NPCR was designated as an ETC in Iowa and has become a wholly-owned subsidiary of Sprint Nextel. In the motion filed on October 19, 2007, Sprint Nextel made the necessary certifications so as to substantially comply with 199 IAC 39.2. USAC has apparently indicated that it prefers Sprint Nextel's affiliates to file information with USAC using the study area code previously assigned to NPCR and the relief sought in NPCR's request is analogous to the relief the Board recently

granted to U.S. Cellular Corp., by order issued March 30, 2007. For these reasons, the Board amends NPCR's designation as an ETC so as to enable Sprint Spectrum, L.P., on behalf of itself and its corporate affiliates, to provide CMRS service within the designated service area established for NPCR.

IT IS THEREFORE ORDERED:

1. The "Motion to Amend ETC Designation" filed by NPCR Inc., d/b/a Nextel Partners, on October 19, 2007, is granted as described in this order.
2. The designated service area for NPCR, Inc., shall be amended so as to enable Sprint Spectrum, L.P., on behalf of itself and its corporate affiliates, to provide commercial mobile radio service within the designated service area established for NPCR, Inc.
3. The Executive Secretary of the Utilities Board (Board) shall mail copies of this order to NPCR, Inc., d/b/a Nextel Partners; the Universal Service Administration Company; the Federal Communications Commission Universal Service Branch; and the Federal Communications Commission Office of the Secretary.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 17th day of December, 2007.

EXHIBIT F

Indiana Utility Regulatory Commission Order

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and Sprint Nextel's responses to the Presiding Officers' data requests. No members of the general public were present or sought to testify at the evidentiary hearing.

Based upon the record evidence, the Commission makes the following findings:

1. **Commission Notice and Jurisdiction.** Due, legal and timely notice of the Petition was given and published by the Commission in accordance with applicable law. No member of the public has intervened to oppose Sprint Nextel's Petition in this proceeding. Pursuant to section 214(e) of the federal Telecommunications Act of 1996, 47 U.S.C. § 151, *et seq.* (the "Act") and I.C. 8-1-2-88, the Commission has jurisdiction over the Petitioner and the subject of this Cause.

2. **Petitioner's Characteristics.** Sprint Nextel is authorized by the Federal Communications Commission ("FCC") to provide wireless broadband personal communications services ("PCS") and specialized mobile radio ("SMR") services in Indiana. PCS and SMR are classified as commercial mobile radio service ("CMRS") under federal law. 47 C.F.R. § 20.9(a).

3. **Relief Requested.** Sprint Nextel seeks to amend and consolidate the competitive ETC designations granted to its subsidiaries SprintCom, Inc. and WirelessCo., L.P. d/b/a Sprint PCS (collectively "Sprint PCS") in Cause No. 41052-ETC-47¹ and the ETC designation granted to its subsidiary NPCR, Inc. d/b/a Nextel Partners ("NPCR") in Cause No. 41052-ETC-43.² Specifically, Sprint Nextel asks that the Commission amend the foregoing ETC designations by: (a) consolidating the ETC designations of Sprint PCS and NPCR under the name of the parent company Sprint Nextel Corporation; (b) consolidating and expanding Sprint Nextel's designated ETC service area in certain respects; and (c) including Sprint Nextel customers that subscribe to its iDEN service offerings throughout its consolidated ETC service area.

4. **Requirements for ETC Designation.** In Cause No. 40785, the Commission adopted the FCC's original eligibility requirements for designation of ETCs within the State of Indiana. Accordingly, each Indiana ETC receiving federal universal service support is required by 47 C.F.R. § 54.101(b) to offer the nine (9) universal services or functionalities, set out fully in 47 C.F.R. § 54.101(a)(1)-(a)(9). In addition to offering the nine supported services, ETCs are required by 47 C.F.R. §§ 54.405 and 54.411 to offer qualifying low-income customers "Lifeline" and "Link Up" assistance as a condition precedent to receiving federal universal service support. 47 C.F.R. § 54.201(d)(2) also requires ETCs receiving federal universal service support to publicize the availability of the nine supported services, Lifeline/Link Up and the corresponding charges, therefore, using media of general distribution throughout the service area for which designation is requested. Pursuant to the Commission's November 5, 1997 Order in Cause No.

¹ *In the Matter of the Designation of Eligible Telecommunications Carriers by the Indiana Utility Regulatory Commission Pursuant to the Telecommunications Act of 1996 and Related FCC Orders, Application of SprintCom, Inc. and WirelessCo., L.P. d/b/a Sprint PCS*, Cause No. 41052-ETC 47, *Final Order* (June 8, 2005) ("Sprint PCS ETC Designation Order").

² *In the Matter of the Designation of Eligible Telecommunications Carriers by the Indiana Utility Regulatory Commission Pursuant to the Telecommunications Act of 1996 and Related FCC Orders, Application of NPCR, Inc. d/b/a Nextel Partners*, Cause No. 41052-ETC 43, *Final Order* (March 17, 2004) ("NPCR ETC Designation Order").

40785, carriers seeking ETC designation in Indiana must also file proposed Lifeline/Link Up tariffs and boundary maps depicting the areas for which ETC designation is sought.

On March 17, 2005, the FCC released new ETC eligibility guidelines mandating that future ETC designations would require a public interest analysis, although that analysis differs depending on whether it is a rural or non-rural area that is proposed to be served. *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket 96-45, *Order*, FCC 05-46 (rel. March 17, 2005) (“2005 FCC ETC Order”). The Commission announced its intent to adopt the FCC’s new eligibility requirements in the Order dated June 8, 2005 in Cause No. 41052-ETC-47. The 2005 FCC ETC Order also requires a fact-specific public interest analysis, considering a number of factors, including increased customer choice, advantages and disadvantages of the applicant’s service offerings, potential creamskimming concerns if the applicant seeks redefinition of the service area requirement, and the impact of the designation on the federal fund. *Id.* The FCC did not prohibit consideration of other relevant factors. The FCC identified several factors to consider and balance “. . . as part of [an] overall analysis regarding whether the designation of an ETC will serve the public interest.” *Id.*, ¶ 44 (emphasis added). The FCC properly recognized that the entity performing a public interest analysis would need freedom to identify and weigh relevant public interest factors on a case-by-case basis. *Id.*, ¶ 46.

5. **Petitioner’s Evidence.** The Manager of Sprint Nextel’s ETC Program Office, John E. Mitus, offered testimony in support of Sprint Nextel’s Petition. He explained that in August 2005, Sprint Corporation merged with Nextel Communications, Inc. and the new company was renamed Sprint Nextel Corporation. Sprint Nextel Corporation then acquired Nextel Partners, Inc. and its subsidiaries, including NPCR, Inc., in June 2006. NPCR, Inc. is now a wholly-owned subsidiary of Sprint Nextel Corporation. As a result of the merger and acquisition, Sprint Nextel now has three subsidiaries – Sprint Com, Inc., WirelessCo., L.P. and NPCR, Inc. – designated as ETCs in Indiana. Mr. Mitus explained that Sprint Nextel is seeking to amend and consolidate these ETC designations under the parent company Sprint Nextel Corporation as described above. In addition, Sprint Nextel currently provides iDEN service in Indiana through its wholly-owned subsidiaries NPCR, Inc. and Nextel West Corp. By amending and consolidating its ETC designations, Mr. Mitus testified Sprint Nextel will undertake the obligations as an ETC for customers that subscribe to all of the Company’s service offerings, including the iDEN service offerings currently provided through NPCR, Inc. and Nextel West Corp.

In sum, Mr. Mitus testified that Sprint Nextel seeks to amend and expand its designated service area in the following manner in this proceeding:

1. To expand Sprint Nextel’s designated service area to include the entire rural ILEC study area of Verizon North, Inc. – IN (Alltel) (SAC 323034).
2. To expand Sprint Nextel’s designated service area to include four additional non-rural ILEC wire centers in the AT&T Indiana and Verizon North, Inc. – IN service areas that have been covered by Sprint Nextel’s network expansion since June 8, 2005.
3. To amend and consolidate Sprint Nextel’s ETC designation to provide CDMA service as a competitive ETC in the ten rural ILEC study areas and each of non-rural ILEC wire centers where NPCR, Inc. was previously designated, and to amend and consolidate the

Company's ETC designation to provide iDEN service as a competitive ETC throughout its requested service area in this proceeding.

Mr. Mitus testified that since June 8, 2005, Sprint Nextel has continued to expand its network coverage both inside and outside of its designated service area in Indiana. In maps attached as exhibits to his testimony, Mr. Mitus depicted four non-rural ILEC wire centers and the Verizon North, Inc. – IN (Alltel) study area where Sprint Nextel has expanded its network coverage. Mr. Mitus explained that these areas are served by the same networks described in Sprint Nextel's original applications and the recent re-certifications filed in August 2006. According to Mr. Mitus, designating Sprint Nextel as a competitive ETC in these additional areas will allow the Company to continue to improve its coverage and service quality and to offer Lifeline/Linkup services in these areas.

Mr. Mitus further testified that Sprint Nextel's wholly-owned subsidiary NPCR, Inc. is currently designated as a competitive ETC in ten of the rural ILEC study areas identified in an additional exhibit to his testimony. Mr. Mitus explained that Sprint Nextel has assumed the obligations of an ETC and is currently providing iDEN service to universal service customers within these study areas. However, according to Mr. Mitus, Sprint Nextel's subsidiaries that provide CDMA service in these rural ILEC study areas (*i.e.*, SprintCom Inc. and WirelessCo., L.P.) were not previously designated as competitive ETCs for those areas. Likewise, Sprint Nextel's wholly-owned subsidiary Nextel West Corp. was not previously designated as a competitive ETC in Indiana. Accordingly, Mr. Mitus testified that Sprint Nextel would like to amend and consolidate its ETC designations to enable Sprint Nextel to provide both CDMA and iDEN service as a competitive ETC throughout each of the non-rural ILEC wire centers and rural ILEC study areas identified in an exhibit to his testimony.

Mr. Mitus testified that if Sprint Nextel's Petition is granted, the Company currently estimates that it will receive an additional \$1.5 million in federal high-cost universal service support annually. Mr. Mitus went on to explain in detail the prerequisites for a competitive ETC designation and how Sprint Nextel would continue to meet those requirements throughout its designated service area if its Petition were granted.

Mr. Mitus testified that granting Sprint Nextel's Petition in this proceeding will allow Sprint Nextel to consolidate and expand its designated service area and enable it to prepare one comprehensive certification and progress report for Commission Staff to review each year. In addition, Mr. Mitus noted that Sprint Nextel proposes that all future filings be made under Cause No. 41052-ETC-47, which will substantially reduce the amount paperwork and duplication that now results from Sprint Nextel filing multiple reports in separate dockets.

Mr. Mitus noted that granting Sprint Nextel's Petition will also enable the Company to provide greater choice of service offerings to its Lifeline subscribers throughout its service area by allowing Sprint Nextel to offer its CDMA Lifeline service offering in areas where NPCR, Inc. is currently designated and to offer an iDEN Lifeline service offering in areas where SprintCom, Inc. and WirelessCo, L.P. are currently designated.

Mr. Mitus explained that expanding and consolidating Sprint Nextel's designated service areas will enable the Company to expand and improve its CDMA and iDEN networks throughout the service areas. This will provide customers in rural and high-cost areas a greater choice of services and features that their urban counterparts currently enjoy. Mr. Mitus testified

that CDMA technology is currently expanding into high-speed data in addition to its voice capabilities, while iDEN service offers unique walkie-talkie features in addition to its voice capabilities. According to Mr. Mitus, consumers will also see additional benefits of competition, including increased choices, higher quality service and lower rates. Mr. Mitus observed that in a competitive market, consumers are able to choose the services that best meet their communications needs.

Mr. Mitus further testified to the public safety benefits associated with increasing the availability of wireless service. The FCC has noted that these public safety benefits are of particular importance in rural and insular areas where mobility and access to emergency services offered by wireless carriers can mitigate the unique risks of geographic isolation. Mr. Mitus noted that the public safety benefits of mobile service have also been recognized by police and fire departments and other first responders across the country. Sprint Nextel has established strong ties with the public safety community, and its iDEN services are widely used by first responders for essential communications during emergency situations.

Mr. Mitus also noted that Sprint Nextel currently operates over 800 cell sites in Indiana and invests tens of millions of dollars each year in its CDMA and iDEN networks serving the State. Sprint Nextel also maintains several offices in Indiana providing employment opportunities and high-tech jobs. Mr. Mitus observed that as of May 2006, Sprint Nextel employed over 800 people in Indiana. Mr. Mitus testified that granting Sprint Nextel's Petition will further benefit Indiana's telecommunications infrastructure and thereby make Indiana even more attractive for business and development.

Mr. Mitus testified that granting Sprint Nextel's Petition in this proceeding will have a negligible impact on the overall size of the federal universal service fund. According to Mr. Mitus, the FCC has determined that the impact of any one competitive ETC on the universal service fund is, at best, inconclusive and has granted several ETC petitions that would have a greater impact on the federal universal service fund than Sprint Nextel's request in this proceeding.

In response to the Presiding Officers' questions issued via docket entry on January 29, 2007, Sprint Nextel further clarified in writing that:

(a) Sprint Nextel proposes to utilize federal high-cost universal service support to deploy 14 new cell sites in 2007, 6 cell sites in 2008, and 3 cell sites per year in 2009 and 2010, based on current universal service support estimates. Because the Company operates on an 18 month planning cycle, Sprint Nextel explained that it is not currently possible to describe with specificity the particular wire centers that will be served by the facilities to be deployed in 2009 and 2010. However, the Company committed to update the Commission on the location of facilities and progress of its service improvement plan each year as part of the applicable certification filing requirements.

(b) Sprint Nextel's use of the terms "coverage," "capacity" or "signal strength" to describe its proposed service improvements all refer to the deployment of new cell sites. According to Sprint Nextel, "Coverage" sites generally refer to a facility that is deployed to expand network coverage to a larger geographic area, although the cell site may also provide additional capacity and signal strength. "Capacity" sites generally refer to a facility that is deployed to alleviate telecommunications traffic congestion at a particular location. Capacity

sites may also increase coverage and signal strength. Finally, "signal strength" sites generally refer to a facility deployed to supplement low signal strength in an area. A signal strength site may also have the effect of increasing coverage and capacity in the area where it is deployed. In addition to the deployment of new cell sites, Sprint Nextel further clarified that it will complete other types of service improvements that affect coverage, capacity and/or signal strength. These types of service improvements may include such activities as deploying repeaters, upgrading backhaul facilities, installing or upgrading switching facilities, or upgrading existing cell sites by installing additional radios, upgrading other equipment or adjusting existing equipment to change the signal coverage contours. Sprint Nextel explained that it did not itemize and include these types of service improvements in its supplemental service improvement plan due to the administrative difficulty associated with allocating such improvements to individual ILEC wire centers.

(c) Sprint Nextel further explained that all of its proposed service improvements are intended to improve service quality by increasing coverage, capacity and signal strength within the Company's existing and expanded designated service area. Sprint Nextel indicated that its supplemental service improvement plan appropriately allocates the additional universal service support the Company estimates it will receive if the Commission grants its Petition to complete service improvements the Company has determined are necessary. Sprint Nextel explained that it intends to utilize the additional universal service support, in part, to deploy new facilities to improve iDEN service quality in certain areas where consumer demand has demonstrated signal coverage, capacity and strength need to be increased. Like past and future service improvements to the Company's CDMA network, Sprint Nextel indicated that these types of service improvements will benefit not only iDEN subscribers residing in the locations identified in Sprint Nextel's supplemental service improvement plan, but other iDEN subscribers that benefit from the availability of mobile service while traveling in those locations. Pursuant to the Commission's annual certification process, Sprint Nextel also explained that it will provide the Commission with an update concerning its completed and proposed service improvements and, through this process, the Company expressed a willingness to work with the Commission to cooperatively identify and address areas where consumer demand may require additional service improvements.

(d) Sprint Nextel also clarified that it will utilize federal high-cost universal service support to expand and improve the Company's CDMA and iDEN networks that serve its designated service area in Indiana. Depending upon an individual customer's preference and the availability of service at the customer's location, Sprint Nextel explained that service may be provided using either CDMA or iDEN technology. To better illustrate the Company's iDEN coverage currently available in the rural ILEC service area where NPCR, Inc. is currently designated, Sprint Nextel supplemented Mr. Mitus' testimony with a late-filed exhibit, **Appendix JEM-3**. Sprint Nextel explained that the addition of CDMA coverage in these areas will provide consumers with additional service options and enhance and improve network coverage in certain areas. By operating both technologies, and expanding and improving both networks over time, Sprint Nextel indicated that it is able to offer greater service options to Indiana consumers, which will allow customers to choose the calling plan and technology that best fits the customer's needs.

6. **OUCC's Evidence.** Mr. Ronald L. Keen, the OUCC's Director of Telecommunications and Consumer Services testified on behalf of the OUCC and indicated that the OUCC has no objection to the relief requested by Sprint Nextel.

Mr. Keen testified that he identified and investigated the issues presented in this proceeding by reviewing Sprint Nextel's Verified Petition and supporting testimony. Mr. Keen noted that formal discovery was not necessary in this proceeding because the OUCC's questions were answered when Sprint Nextel previously met with the OUCC staff.

Mr. Keen testified that given Sprint Nextel's new, combined legal status, future streamlined ETC reporting and recertification is appropriate. Mr. Keen noted that Sprint Nextel's request is similar to a consolidation designation approach taken by Centennial and approved by the Commission in Cause No. 41052-ETC-46. Mr. Keen noted that based on that case, it would be appropriate for an ETC to maintain sufficient accounting records to demonstrate that federal high-cost universal service support is only used to improve or extend service within the carrier's designated service area.

Mr. Keen further testified that the pre-merger ETC designations and subsequent annual re-certifications of Sprint PCS and NPCR under Cause No. 42067 supports Sprint Nextel's request to expand its Indiana ETC designations into new areas. Mr. Keen noted that Sprint PCS and NPCR have a proven track record as competitive ETCs in Indiana that provides a solid foundation for the request to consolidate and expand the post-merger ETC designations into new service area. Mr. Keen also indicated that Sprint Nextel's testimony includes a detailed review of its compliance with technical ETC eligibility requirements.

Mr. Keen noted that after reviewing the confidential materials submitted by Sprint Nextel in this proceeding relative to additional proposed infrastructure deployment and facility improvements, the OUCC believes the public interest will be served by granting the company's Petition. Mr. Keen observed that from the evidence presented, he would expect consumers in Sprint Nextel's designated service area to enjoy increased service options, improved service quality, new service packages, and/or more favorable rate options than those currently available for comparable service offerings. He also stated that Sprint Nextel's additional infrastructure investments should promote economic growth in Indiana, provide new communications options for existing businesses, and help attract new business to areas served by new and improved communications infrastructure. According to Mr. Keen, such economic benefits effectively increase the value of universal service dollars invested in Indiana and serve the public interest.

7. **Commission Findings.** Based on the evidence in the record, we have determined that Petitioner satisfies each of the eligibility criteria for ETC designation, as set forth more fully below.

A. Petitioner is a Common Carrier

Petitioner is a "common carrier" for purposes of obtaining ETC designation under 47 U.S.C. § 214(e)(1). A common carrier is generally defined in 47 U.S.C. § 153(10) as "any person engaged as a common carrier for-hire" in interstate or foreign communications utilizing either wire or radio technology, except for radio broadcasters. The FCC's regulations specifically provide that broadband PCS and SMR services are common carrier services regulated as CMRS.

B. Petitioner Provides Each of the Supported Services

Petitioner continues to provide each of the supported services identified by the FCC in 47 C.F.R. § 54.101(a)(1)-(a)(9) within its designated service area and has demonstrated its capability and commitment to provide the service within its expanded service area as follows:

(a) Voice-grade access to the public switched telephone network. The FCC has concluded that voice grade service means the ability to make and receive phone calls within a specified bandwidth and frequency range. Petitioner meets this requirement by providing voice grade access to the public switched telephone network. Through its interconnection arrangements with AT&T Indiana, Verizon, and other ILECs, all of Petitioner's customers are able to make and receive calls on the public switched telephone network within the specified bandwidth.

(b) Local usage. ETCs must include local usage in their universal service offerings. Petitioner includes specified quantities of usage in each of its rate plans and thereby complies with the requirement that all ETCs offer local usage.

(c) Dual-Tone, Multi-Frequency ("DTMF") signaling, or its functional equivalent. DTMF is a method of signaling that facilitates the transportation of call set-up and call detail information. Petitioner provides signaling that is functionally equivalent to DTMF, such as out-of-band digital signaling, which satisfies this requirement.

(d) Single-party service or its functional equivalent. Petitioner provides single-party service by providing a dedicated message path for the length of all customer calls.

(e) Access to emergency services. The ability to reach a public emergency service provider by dialing 911 is a required service in any universal service offering. Petitioner provides its subscribers access to 911 emergency service in accord with this requirement, and consistent with FCC regulations. Petitioner also provides Enhanced 911 services including Phase I and Phase II E911 services where requested by local public safety authorities ready to receive the information, and where such services are supported by the local exchange carrier.

(f) Access to operator services. Access to operator services is defined as any automatic or live assistance provided to a consumer to arrange for the billing or completion, or both, of a telephone call. Petitioner meets this requirement by providing all of its customers with access to operator services, including customer service and call completion.

(g) Access to directory assistance. Petitioner meets the requirement of providing access to directory assistance.

(h) Access to interexchange service. Petitioner meets the requirement of providing access to interexchange service by providing all of its customers with the ability to make and receive interexchange calls. Many of Petitioner's calling plans include nationwide interexchange calling at the same rate as local calls. Additionally, customers are able to reach their IXC of choice by dialing the appropriate access code.

(i) Toll limitation for qualifying low-income consumers. Petitioner meets the requirement of providing toll-limitation, at no additional charge, to qualified, low-income Lifeline customers.

C. Lifeline/Link-Up Service Offering Requirements

Petitioner currently offers Lifeline/Link Up service within its existing designated service area. A copy of Petitioner's proposed tariff governing its provision of Lifeline/Link Up service throughout its consolidated and expanded service area was offered into evidence at the hearing as Exhibit JEM-10. The evidence of record shows that Petitioner agrees to comply with all applicable Lifeline/Link-Up requirements after its Petition is granted.

D. Advertising Requirements

Petitioner attested that it will advertise the availability of its Lifeline/Link-Up and general supported universal service offerings and the corresponding charges, therefore, in a manner that informs the general public throughout the consolidated and expanded service area. Petitioner advertises its wireless services through several different media of general distribution including (but not limited to) television, magazines, newspapers, the Internet and other forms of advertising. The evidence of record indicates that the Petitioner will comply with all applicable advertising requirements. We further find that Petitioner should comply with all generic form and content requirements, if any, that may in the future be adopted by the FCC or this Commission.

E. Petitioner's Designated Service Area

1. Non-Rural ILEC Service Areas

Section 54.207 of the FCC's rules, 47 C.F.R. § 54.207(a), defines a "service area" as a "geographic area established by a state commission for the purpose of determining universal service obligations and support mechanisms." For an area served by a non-rural ILEC, a competitive ETC's designated service area can be established on a wire center basis. 47 U.S.C. § 214(e)(5). Petitioner seeks to consolidate and expand its designation as a competitive ETC throughout certain wire centers served by AT&T Indiana and Verizon North, Inc. - IN, both non-rural ILECs in Indiana. A map of the Company's proposed service area was admitted as Exhibit JEM-4 and a list of the non-rural ILEC wire centers included in the company's proposed service area was admitted as Exhibit JEM-1.³

2. Rural ILEC Service Areas

For an area served by a rural ILEC, the company's service area includes its entire study area unless and until the Commission and FCC act to redefine the service area to something less than the study area. Petitioner seeks to consolidate and expand its designation as a competitive ETC throughout the rural ILEC study areas set forth on Exhibit JEM-1. These service areas include each of the study areas where NPCR, Inc. is currently designated as well as the Rural ILEC study area served by Verizon North, Inc. - IN (Alltel). Because Sprint Nextel seeks to

³ We note that in certain non-rural ILEC wire centers Sprint Nextel subsidiaries SprintCom, Inc. and WirelessCo., L.P. d/b/a Sprint PCS were previously designated in only the portion of the wire center the Company served at the time. We find that Sprint Nextel's designation should no longer be limited to partial wire centers and hereby act to amend the Company's designation to include entire wire center boundaries as set forth on the attached **Appendix 1**.

consolidate and expand its service area to include the entire study area of each rural ILEC, service area redefinition is not an issue in this proceeding.

F. Petitioner Satisfies Each of the FCC's New ETC Designation Requirements

In our previous orders, we set forth a series of additional requirements for the tracking of USF expenditures and the improvement of an ETC's services. In the *2005 FCC ETC Order*, the FCC adopted five new ETC designation requirements. Specifically, an ETC applicant must demonstrate: (1) a commitment and ability to provide service, including providing service to all customers within its proposed service area; (2) how it will remain functional in emergency situations; (3) that it will satisfy applicable consumer protection and service quality standards; (4) that it will offer a local usage service offering comparable to the one offered by the incumbent LEC; and (5) an understanding that it may be required to provide equal access if all other ETCs in the designated service area relinquish their designations pursuant to 47 U.S.C. § 214(e)(4).⁴ In the *Sprint PCS ETC Designation Order*, we announced our intent to adopt the FCC's guidelines and incorporate them in our certification form for the next reporting period for all Indiana ETCs."⁵

Petitioner explained how it will meet all of the ETC eligibility requirements set forth in the *2005 FCC ETC Order*, which was adopted by this Commission in Cause No. 41052-ETC-47 on June 8, 2005.

1. Petitioner's Commitment to Provide Service upon Reasonable Request

Pursuant to 47 C.F.R. § 54.202(a)(1)(i), an ETC applicant must commit to provide service upon reasonable request throughout its designated service area. Petitioner committed to provide service to any potential customer within its designated service area upon reasonable request. If the potential customer is within the Company's designated service area and its existing network coverage, Sprint Nextel will provide service on a timely basis. If the potential customer is within the Company's designated service area but outside its existing network coverage, Sprint Nextel will provide service within a reasonable period of time if service can be provided at reasonable cost by:

- (a) Modifying or replacing the requesting customer's equipment;
- (b) Deploying a roof-mounted antenna or other equipment;
- (c) Adjusting the nearest cell tower;
- (d) Adjusting network or customer facilities;
- (e) Reselling services from another carrier's facilities to provide service; or

⁴ *2005 FCC ETC Order*, ¶ 20. The FCC's new ETC a requirements were codified at 47 C.F.R. § 54.202.

⁵ *Sprint PCS ETC Designation Order*, p. 9.

(f) Employing, leasing or constructing an additional cell site, cell extender, repeater or other similar equipment.

Petitioner also committed to file an annual report detailing how many requests for service were unfulfilled in the past year and how the Company attempted to provide service consistent with the Commission's applicable reporting requirements. We find Petitioner's commitments demonstrate its willingness and ability to provide service throughout its requested service area.

2. Petitioner's Plans to Use Support to Improve Service Quality Over the Coming Years

Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), an ETC applicant is required to submit a five-year plan that describes proposed service improvements or upgrades that may be completed with the assistance of federal high-cost universal service support. We find that Petitioner's supplemental service improvement plan (Confidential Exhibit JEM-5) adequately demonstrates that Sprint Nextel will utilize the additional high-cost universal service support it receives to provide the supported services and to improve, upgrade, expand and maintain its facilities that provide service in its consolidated and expanded service area. Petitioner is currently required to annually file with the Commission a report detailing the Company's progress towards meeting its service improvement plans and updating the plans as may be necessary due to changes in universal service funding, changes in consumer demand or other factors. The Commission understands Petitioner intends to consolidate its previously filed service improvement plan and its supplemental service improvement plan filed in this proceeding beginning in 2007 and will provide the Commission with a single progress report as part of the Company's annual required filings.

3. Petitioner Demonstrated Its Ability To Remain Functional In Emergency Situations

Pursuant to 47 C.F.R. § 54.202(a)(2), an ETC applicant must demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities and is capable of managing traffic spikes resulting from emergency situations. We find that Petitioner has adequately demonstrated its ability to remain functional during emergency situations.

4. Petitioner Satisfies Applicable Consumer Protection and Service Quality Standards

Pursuant to 47 C.F.R. § 54.202(a)(3), an ETC applicant is required to demonstrate that it will satisfy applicable consumer protection and service quality standards. In the case of a wireless carrier, a commitment to comply with the Cellular Telecommunications and Internet Association's ("CTIA") Consumer Code for Wireless Service ("Consumer Code") satisfies this requirement. CTIA has annually certified Sprint Nextel's compliance with the Consumer Code since first adopting the Consumer Code in 2003. We therefore find the record evidence demonstrates Petitioner complies with all of the requirements set forth in the Consumer Code.

5. Petitioner Offers a Comparable Local Usage Plan

Pursuant to 47 C.F.R. § 54.202(a)(4), an ETC applicant is required to demonstrate that it offers a local usage plan comparable to one offered by the ILEC in the service area for which the applicant seeks designation. Petitioner offers customers a variety of service plans with varying amounts of local usage, including plans that have unlimited calling. Petitioner also offers various service plans that include nationwide calling. We therefore find that Petitioner offers a local usage service offering comparable to the ILECs serving its requested service area.

6. Petitioner Acknowledges The FCC's Authority To Require It To Provide Equal Access

Pursuant to 47 C.F.R. § 54.202(a)(5), an ETC applicant must acknowledge that the FCC may require it to provide equal access to long distance carriers within its designated service area in the event that no other ETC is providing equal access within the service area. We find Petitioner has acknowledged the FCC's authority to require equal access under those circumstances.

G. Public Interest Considerations

Petitioner seeks to be designated as a competitive ETC in rural and non-rural ILEC service areas in Indiana. No public interest review was required in the designation of an ETC in a non-rural area prior to March 2005, when the FCC announced that future designations of any ETC must include a public interest analysis. *2005 FCC ETC Order*, ¶¶ 42 and 43.

An ETC designation confers both benefits and burdens on a carrier. While designation gives the provider the right to apply for USF funds, it also imposes a requirement that such support be used “only for the provision, maintenance, and upgrading of facilities and services for which support is intended.” 47 U.S.C. § 254(e). In the absence of statutory strictures for evaluating the public interest, the FCC has recommended that ETC designations be analyzed “in a manner that is consistent with the purposes of the Act itself, including the fundamental goals of preserving and advancing universal service; ensuring the availability of quality telecommunication services at just, reasonable, and affordable rates; and promoting the deployment of advanced telecommunications and information services to all regions of the nation, including rural and high-cost areas.” *2005 FCC ETC Order*, ¶ 40.

The *2005 FCC ETC Order* encouraged states to include factors previously considered in the *Virginia Cellular* ETC designation Order. See, *Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia*, FCC 03-338 *Memorandum Opinion and Order* (rel. Jan. 22, 2004), and recognized that public interest assessments would vary from case to case. *2005 FCC ETC Order*, ¶¶ 43,44 and 58-62. It also set more stringent requirements for the tracking of expenditures, improvements to services, and service quality. *Id.*, ¶ 69. As noted above, we adopted these guidelines in the *Sprint PCS ETC Designation Order*, and announced that current Indiana ETCs will be required to submit such information as part of their annual certification. This requirement achieves the stated intention of both the FCC and this Commission to achieve the appropriate level of oversight required by this Commission in order to ensure uniformity and technological neutrality in the certification process.

(a) Benefits of Increased Competitive Choice. This Commission and the FCC have previously acknowledged the consumer benefits of increased competition in the telecommunications market. Increased competition is expected to drive down prices, improve service quality, and promote the development of advanced communications services. Granting Sprint Nextel's Petition will expand the availability of competitive services and will provide consumers greater access to Sprint Nextel's CDMA and iDEN technologies. With increased competitive choice, Indiana consumers should expect lower rates and improved service as competition provides an incentive for both Sprint Nextel and the ILECs to invest in new technologies and additional infrastructure. We therefore find that granting Sprint Nextel's requested relief will promote the public interest by increasing the level of competitive choices available to Indiana consumers.

(b) Advantages and Disadvantages of Sprint Nextel's Service Offerings. This Commission and the FCC have also recognized the specific benefits and advantages of wireless service, including the provision of service to customers who do not have access to wireline service, the mobility of service and the availability of a larger local calling areas. The advantages of wireless service are particularly important in rural and insular areas, where the FCC has found that the mobility and access to emergency services offered by wireless carriers can mitigate the unique risks of geographic isolation. The public safety benefits of mobile service have also been recognized by police and fire departments and other first responders across the country. Petitioner asserts that it has established strong ties with the public safety community to help meet the nation's emergency, national security and public safety needs and, in particular, that its iDEN network is widely used by first responders for essential communications during emergency situations. While we acknowledge that there are also disadvantages to wireless service, including dropped calls and other current limitations in the technology, we find that the advantages of developing more robust and reliable wireless networks in Indiana outweigh these current disadvantages.

(c) Impact on the Universal Service Fund. The FCC has acknowledged that "given the size of the fund - approximately \$3.8 billion per year - it is unlikely that any individual ETC designation would have a substantial impact on the overall size of the fund." *2005 FCC ETC Order*. Mr. Mitus testified that granting Sprint Nextel's Petition would result in the company receiving an additional \$1.5 million per year in high-cost universal service support. In light of the proportion of the size of the fund in relation to Petitioner's estimated receipt of additional support, we find that this figure represents what Indiana considers to be a substantial increase to the size of the fund. However, not granting Sprint Nextel's Petition in this proceeding would have a significant impact on the level of competition in Indiana. In that regard, we further find that it is squarely within our purview to balance the public interest in this regard and believe that granting the Petition does in fact serve the public interest.

(d) Creamskimming. The FCC identified creamskimming as an appropriate factor to consider in areas where an ETC applicant seeks designation below the study area level of a rural company. That analysis is unnecessary in this case, as Petitioner only seeks to amend and consolidate its ETC designation to serve entire rural ILEC study areas in this proceeding.

(e) Deployment of, or Improvement to, Indiana Network Facilities. We have previously included in our public interest determinations an examination of the extent to which a carrier has invested in Indiana. Mr. Mitus testified that Sprint Nextel currently operates over 800 cell sites in Indiana and invests tens of millions of dollars each year in its CDMA and iDEN

networks serving the State. Sprint Nextel also maintains several offices in Indiana providing employment opportunities and high-tech jobs. As of May 2006, the Company employed over 800 people in Indiana. We therefore find that Petitioner's past investments and its proposed future service improvements will benefit Indiana's telecommunications infrastructure and thereby make Indiana even more attractive for business and development.

(f) Administrative Efficiencies. Petitioner has identified certain administrative efficiencies that will result from the consolidation of its ETC designations in the State of Indiana, including the elimination of duplicate filings necessitated by multiple designations. OUCC also acknowledged the benefit of such efficiencies. We agree that the consolidation of Petitioner's ETC designations will promote the public interest by reducing the administrative burden on the Company and Commission staff.

Based on the foregoing considerations, we find that granting Petitioner's request to consolidate and expand its designated service area will promote the public interest in Indiana.

H. Regulatory Oversight

This Commission has previously recognized certain specific regulatory requirements that competitive wireless ETC applicants must satisfy in order to secure and maintain their ETC status in Indiana. Such regulatory requirements stem from the FCC's mandate that state commissions certify that federal USF support is being used "only for the provision, maintenance and upgrading of facilities and services for which the support is intended," consistent with 47 U.S.C. § 254(e). Absent such a certification, carriers will not receive such support. 47 C.F.R. §§ 54.313 & 54.314. In order for this Commission to satisfy its ETC certification requirements to the FCC, this Commission requires ETC applicants to present evidence concerning: (i) their proposed Lifeline/Link Up offering, including filing a Lifeline/Link Up tariff with the Commission; and (ii) how the applicants will account for their USF fund expenditures and the accounting protocols they intend to use to track such expenditures.

The record reflects Petitioner's intent to comply with the Commission's Lifeline/Link Up tariff filing requirement. Petitioner filed its amended Lifeline/Link Up tariff as Exhibit JEM-10. We find that Petitioner's amended Lifeline/Link Up tariff should be, and hereby is, approved and shall supersede any Lifeline/Link Up tariffs previously filed by Sprint Nextel's wireless subsidiaries in Indiana. Petitioner also confirmed that it is familiar with and agrees to comply with USF tracking requirements this Commission previously established to ensure that funds received from USAC for Indiana are devoted to furthering universal service goals within Petitioner's designated service area.

I. Prospective ETC Reporting Requirements

Finally, we find that Petitioner should be required to meet all of the following prospective reporting requirements established by the *2005 FCC ETC Order* and currently applicable to all Indiana ETCs by submitting the following information on an annual basis around the September timeframe as required by this Commission:

(a) progress reports on the ETC's five-year service improvement plan, including maps detailing progress toward meeting its plan targets, an explanation of how much universal service support was received and how the support was used to improve signal quality,

coverage, or capacity; and an explanation regarding any network improvement targets that have not been fulfilled. The information should be submitted at the wire center level;

(b) detailed information on any outage lasting at least 30 minutes, for any service area in which an ETC is designated for any facilities that it owns, operates, leases, or otherwise utilizes that potentially affect at least ten percent of the end users served in a designated service area, or that potentially affect at least ten percent of the end users served in a designated service area, or that potentially affect a 911 special facility (as defined in subsection (e) of section 4.5 of the Outage Reporting Order). An outage is defined as a significant degradation in the ability of an end user to establish and maintain a channel of communications as a result of failure or degradation in the performance of a communications provider's network. Specifically, the ETC's annual report must include: (1) the date and time of onset of the outage; (2) a brief description of the outage and its resolution; (3) the particular services affected; (4) the geographic areas affected by the outage; (5) steps taken to prevent a similar situation in the future; and (6) the number of customers affected.

(c) the number of requests for service from potential customers within its service area that were unfulfilled for the past year. The ETC must also detail how it attempted to provide service to those potential customers.

(d) the number of complaints per 1,000 handsets or lines;

(e) certification that the ETC is complying with applicable service quality standards and consumer protection rules, *i.e.*, the CTIA Consumer Code for Wireless Service;

(f) certification that the ETC is able to function in emergency situations;

(g) certification that the ETC is offering a local usage plan comparable to that offered by the ILEC in the relevant service areas; and

(h) certification that the carrier acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

We therefore find based on the facts presented, that Petitioner continues to satisfy all of the ETC eligibility requirements and that the public interest supports granting Sprint Nextel's request to consolidate and expand its designated service area at this time.

J. High-Cost Certification

To receive high-cost universal service support, the Commission must annually certify Sprint Nextel's use of such support consistent with 47 U.S.C. § 254(e). *See* 47 C.F.R. §§ 54.313 & 54.314. The Commission previously certified SprintCom, Inc., WirelessCo., L.P. and NPCR, Inc.'s use of support for calendar year 2007. Consistent with the relief granted in this Order, we find that the Commission's certification should be amended and supplemented to certify Sprint Nextel Corporation's use of support in calendar year 2007 for the service area including each of the non-rural ILEC wire centers and rural ILEC study areas set forth on the attached **Appendix 1**.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY

COMMISSION that:

1. The ETC designation conferred to NPCR, Inc. on March 17, 2004 in Cause No. 41052-ETC-43 and the ETC designations conferred to SprintCom, Inc. and WirelessCo, L.P. in Cause No. 41052-ETC-47 on June 8, 2005 are hereby consolidated under the name of the companies' parent company, Sprint Nextel Corporation, and all future filings for said ETC designation shall be made under Cause No. 41052-ETC-47.

2. Sprint Nextel Corporation's ETC designations area hereby consolidated, amended and expanded to include each of the entire non-rural ILEC wire centers and entire rural ILEC study areas set forth on the attached **Appendix 1** to this Order.

3. Sprint Nextel Corporation's ETC designation shall include customers that subscribe to any of the Company's service offerings that include the supported services, including both CDMA and iDEN service offerings.


4. Pursuant to 47 C.F.R. §§ 54.313 & 54.314, the Commission hereby amends and supplements its certification of Sprint Nextel Corporation's use of high-cost universal service support for calendar year 2007 consistent with the relief granted in this Order.

5. This Order shall be effective on and after the date of its approval.

HARDY, GOLC, LANDIS, SERVER, and ZIEGNER CONCUR:

APPROVED: MAR 07 2007

**I hereby certify that the above is a true
and correct copy of the Order as approved.**


Brenda A. Howe
Executive Secretary to the Commission

APPENDIX 1

ILEC	SAC	CLLI	EXCHANGE
AMERITECH INDIANA	325080	ACTNIN01	ACTION
AMERITECH INDIANA	325080	ALBYIN01	ALBANY
AMERITECH INDIANA	325080	ALXNIN01	ALEXANDRIA
AMERITECH INDIANA	325080	ANDRIN01	ANDREWS
AMERITECH INDIANA	325080	ARSNIN01	ANDERSON
AMERITECH INDIANA	325080	ATTCIN01	ATTICA
AMERITECH INDIANA	325080	AUBNIN01	AUBURN
AMERITECH INDIANA	325080	BCKKIN01	BUCK CREEK
AMERITECH INDIANA	325080	BCVLIN01	BRUCEVILLE
AMERITECH INDIANA	325080	BDFRIN01	BEDFORD
AMERITECH INDIANA	325080	BFTNIN01	BLUFFTON
AMERITECH INDIANA	325080	BLFDIN01	BLOOMFIELD
AMERITECH INDIANA	325080	BLTNIN01	BLOOMINGTON
AMERITECH INDIANA	325080	BNHLIN01	BUNKERHILL
AMERITECH INDIANA	325080	BNVLIN01	BOONVILLE
AMERITECH INDIANA	325080	BRBGIN01	BROWNSBURG
AMERITECH INDIANA	325080	BURLIN01	BURLINGTON
AMERITECH INDIANA	325080	CFVLIN01	CRAWFORDSVILLE
AMERITECH INDIANA	325080	CHFDIN01	CHESTERFIELD
AMERITECH INDIANA	325080	CHNDIN01	CHANDLER
AMERITECH INDIANA	325080	CHRSIN01	CHRISNEY
AMERITECH INDIANA	325080	CHTWIN01	CHARLESTN
AMERITECH INDIANA	325080	CLMBIN01	COLUMBUS
AMERITECH INDIANA	325080	CLMBIN02	COLUMBUS
AMERITECH INDIANA	325080	CLTNIN01	CLINTON
AMERITECH INDIANA	325080	CLVRIN01	CULVER
AMERITECH INDIANA	325080	CNVRIN01	AMBOY
AMERITECH INDIANA	325080	CRMLIN01	CARMEL
AMERITECH INDIANA	325080	CRPNINCX	CROWN POINT
AMERITECH INDIANA	325080	CVTNIN01	COVINGTON
AMERITECH INDIANA	325080	DALEIN01	DALE
AMERITECH INDIANA	325080	DAVLIN01	DANVILLE
AMERITECH INDIANA	325080	DCLKINCZ	CEDAR LAKE
AMERITECH INDIANA	325080	DGGRIN01	DUGGER
AMERITECH INDIANA	325080	DRTNIN01	DARLINGTON
AMERITECH INDIANA	325080	EATNIN01	EATON
AMERITECH INDIANA	325080	EHCINEC	EAST CHICAGO
AMERITECH INDIANA	325080	EDBGIN01	EDINBURGH
AMERITECH INDIANA	325080	ELWDIN01	ELWOOD
AMERITECH INDIANA	325080	EVVLIN02	EVANSVILLE
AMERITECH INDIANA	325080	EVVLIN03	EVANSVILLE
AMERITECH INDIANA	325080	EZTWIN01	ELIZABETHTOWN

APPENDIX 1 (cont.)

AMERITECH INDIANA	325080	FLRKIN01	FLAT ROCK
AMERITECH INDIANA	325080	FRFTIN01	FRANKFORT
AMERITECH INDIANA	325080	FRLDIN01	FAIRLAND
AMERITECH INDIANA	325080	FSHRIN01	FISHERS
AMERITECH INDIANA	325080	GALNIN01	GALENA
AMERITECH INDIANA	325080	GARYINGM	GARY
AMERITECH INDIANA	325080	GARYINGO	GARY
AMERITECH INDIANA	325080	GARYINGR	GARY
AMERITECH INDIANA	325080	GARYINGW	GARY
AMERITECH INDIANA	325080	GNFDIN01	GREENFIELD
AMERITECH INDIANA	325080	GNTWIN01	GREENTOWN
AMERITECH INDIANA	325080	GNWDIN01	GREENWOOD
AMERITECH INDIANA	325080	GSTNIN01	GASTON
AMERITECH INDIANA	325080	HGLDINHL	HIGHLAND
AMERITECH INDIANA	325080	HLVLIN01	HELTONVILLE
AMERITECH INDIANA	325080	HMNDINHE	HAMMOND
AMERITECH INDIANA	325080	HMNDINHW	HAMMOND
AMERITECH INDIANA	325080	HNTNIN01	HUNTINGTON
AMERITECH INDIANA	325080	HOPEIN01	HOPE
AMERITECH INDIANA	325080	HRCYIN01	HARTFORDCY
AMERITECH INDIANA	325080	IPLSIN01	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN02	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN03	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN04	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN06	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN07	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN08	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN09	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN10	CUMBERLAND
AMERITECH INDIANA	325080	IPLSIN18	INDIANAPOLIS
AMERITECH INDIANA	325080	IPLSIN21	INDIANAPOLIS
AMERITECH INDIANA	325080	JFVLIN01	JEFFERSNVILLE
AMERITECH INDIANA	325080	KDVLIN01	KENDALLVILLE
AMERITECH INDIANA	325080	KOKMIN01	KOKOMO
AMERITECH INDIANA	325080	KOKMIN02	KOKOMO
AMERITECH INDIANA	325080	KRKLIN01	KIRKLIN
AMERITECH INDIANA	325080	LADGIN01	LADOGA
AMERITECH INDIANA	325080	LAGRIN01	LAGRO
AMERITECH INDIANA	325080	LBNIN01	LEBANON
AMERITECH INDIANA	325080	LKVGIN01	LAKE VILLAGE
AMERITECH INDIANA	325080	LNTNIN01	LINTON
AMERITECH INDIANA	325080	LWLLIN01	LOWELL
AMERITECH INDIANA	325080	MARNIN02	MARION
AMERITECH INDIANA	325080	MARNIN03	MARION

APPENDIX 1 (cont.)

AMERITECH INDIANA	325080	MCBBIN01	MECHANSBURG
AMERITECH INDIANA	325080	MCCTIN01	MCUTCHANVILLE
AMERITECH INDIANA	325080	MCCYIN01	MICHIGAN CITY
AMERITECH INDIANA	325080	MCTWIN01	MICHIGANTOWN
AMERITECH INDIANA	325080	MDTWIN01	MIDDLETOWN
AMERITECH INDIANA	325080	MEVLINMX	MERRILLVILLE
AMERITECH INDIANA	325080	MGTWIN01	MORGANTOWN
AMERITECH INDIANA	325080	MLLTIN01	MELLOTT
AMERITECH INDIANA	325080	MNLLIN01	MANILLA
AMERITECH INDIANA	325080	MRCCIN01	MOROCCO
AMERITECH INDIANA	325080	MRVIIN01	MOORESVILLE
AMERITECH INDIANA	325080	MSHWIN02	MISHAWAKA
AMERITECH INDIANA	325080	MTPLIN01	MONTPELIER
AMERITECH INDIANA	325080	MTSMIN01	MT SUMMIT
AMERITECH INDIANA	325080	MTVIIN01	MARTINSVILLE
AMERITECH INDIANA	325080	MTVRIN01	MT VERNON
AMERITECH INDIANA	325080	MUNCIN01	MUNCIE
AMERITECH INDIANA	325080	NBVLIN01	NOBLESVILLE
AMERITECH INDIANA	325080	NSVLIN01	NASHVILLE
AMERITECH INDIANA	325080	NWALIN01	NEW ALBANY
AMERITECH INDIANA	325080	NWBRIN01	NEWBURGH
AMERITECH INDIANA	325080	NWCSIN01	NEW CASTLE
AMERITECH INDIANA	325080	NWHRIN01	NEW HARMONY
AMERITECH INDIANA	325080	NWPLIN01	NEW PALISTINE
AMERITECH INDIANA	325080	NWTNIN01	NEW WASHINGTON
AMERITECH INDIANA	325080	OKLNIN01	OAKLANDON
AMERITECH INDIANA	325080	OSCLIN01	OSCEOLA
AMERITECH INDIANA	325080	OTRBIN01	OTTERBEIN
AMERITECH INDIANA	325080	PERUIN01	PERU
AMERITECH INDIANA	325080	PLFDIN01	PLAINFIELD
AMERITECH INDIANA	325080	PRGNIN01	PARAGON
AMERITECH INDIANA	325080	RCPTIN01	ROCKPORT
AMERITECH INDIANA	325080	RSVLIN01	RUSSIAVILLE
AMERITECH INDIANA	325080	SBNDIN01	SOUTH BEND
AMERITECH INDIANA	325080	SBNDIN03	SOUTH BEND
AMERITECH INDIANA	325080	SBNDIN04	SOUTH BEND
AMERITECH INDIANA	325080	SCVLINDY	DYER
AMERITECH INDIANA	325080	SHRDIN01	SHERIDAN
AMERITECH INDIANA	325080	SHVLIN01	SHELBYVILLE
AMERITECH INDIANA	325080	SLBGIN01	SELLERSBURG
AMERITECH INDIANA	325080	SLBYINCC	LOWELL
AMERITECH INDIANA	325080	SLTDIN01	SOLITUDE
AMERITECH INDIANA	325080	SMVIIN01	SUMMITVILLE

APPENDIX 1 (cont.)

AMERITECH INDIANA	325080	SNRGIN01	SANDRIDGE
AMERITECH INDIANA	325080	SNVLIN01	SPENCERVILLE
AMERITECH INDIANA	325080	SPNCIN01	SPENCER
AMERITECH INDIANA	325080	STJHINSJ	ST JOHN
AMERITECH INDIANA	325080	STJSIN01	ST JOSEPH
AMERITECH INDIANA	325080	STPHIN01	ST PHILIP
AMERITECH INDIANA	325080	TLCYIN01	TELL CITY
AMERITECH INDIANA	325080	TNSNIN01	TENNYSON
AMERITECH INDIANA	325080	UPLDIN01	UPLAND
AMERITECH INDIANA	325080	VDBGIN01	VEEDERSBURG
AMERITECH INDIANA	325080	VINCIN01	VINCENNES
AMERITECH INDIANA	325080	WASHIN01	WASHINGTON
AMERITECH INDIANA	325080	WHNGINWT	WHITING
AMERITECH INDIANA	325080	WLBIN01	WEST LEBANON
AMERITECH INDIANA	325080	WNTNIN01	WEST NEWTON
AMERITECH INDIANA	325080	WYTWIN01	WAYNETOWN
AMERITECH INDIANA	325080	YRTWIN01	YORKTOWN
AMERITECH INDIANA	325080	ZIVLIN01	ZIONSVILLE
VERIZON NORTH INC.-IN	320772	AKRNINXA	AKRON
VERIZON NORTH INC.-IN	320772	ALBNINXA	ALBION
VERIZON NORTH INC.-IN	320772	ANGLINXA	ANGOLA
VERIZON NORTH INC.-IN	320772	ARTNINXA	ARLINGTON
VERIZON NORTH INC.-IN	320772	ATWDINXA	ATWOOD
VERIZON NORTH INC.-IN	320772	BKVLINXA	BROOKVILLE
VERIZON NORTH INC.-IN	320772	BPPSINXA	BIPPUS
VERIZON NORTH INC.-IN	320772	BRBNINXA	BOURBON
VERIZON NORTH INC.-IN	320772	BRKTINXA	BURKET
VERIZON NORTH INC.-IN	320772	BRSTINXA	BRISTOL
VERIZON NORTH INC.-IN	320772	BRZLINXB	BRAZIL
VERIZON NORTH INC.-IN	320772	BTLRINXA	BUTLER
VERIZON NORTH INC.-IN	320772	BUVLINXB	BLOUNTSVILLE
VERIZON NORTH INC.-IN	320772	CHRBINXA	CHURUBUSCO
VERIZON NORTH INC.-IN	320772	CHTNINXA	CHESTERTON
VERIZON NORTH INC.-IN	320772	CICRINXA	CICERO
VERIZON NORTH INC.-IN	320772	CLPLINXA	CLAYPOOL
VERIZON NORTH INC.-IN	320772	CMCYINXA	CAMBDG CITY
VERIZON NORTH INC.-IN	320772	CNVLINXA	CENTERVILLE
VERIZON NORTH INC.-IN	320772	CORYINXA	CORY
VERIZON NORTH INC.-IN	320772	CRTHINXA	CARTHAGE
VERIZON NORTH INC.-IN	320772	CSVLINXA	CONNERSVILLE
VERIZON NORTH INC.-IN	320772	CTPNINXA	CENTER POINT
VERIZON NORTH INC.-IN	320772	CYCYINXA	CLAY CITY
VERIZON NORTH INC.-IN	320772	DNKRINXA	DUNKIRK
VERIZON NORTH INC.-IN	320772	DNLPINXA	DUNLAP

APPENDIX 1 (cont.)

VERIZON NORTH INC.-IN	320772	EKHTINXA	ELKHART
VERIZON NORTH INC.-IN	320772	FLTNINXB	FULTON
VERIZON NORTH INC.-IN	320772	FMLDINXA	FARMLAND
VERIZON NORTH INC.-IN	320772	FNCYINXA	FOUNTAIN CITY
VERIZON NORTH INC.-IN	320772	FRMTINXA	FREMONT
VERIZON NORTH INC.-IN	320772	FRTNINXA	FRANKTON
VERIZON NORTH INC.-IN	320772	FTWYINXA	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXB	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXC	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXD	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXE	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXF	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXG	FORT WAYNE
VERIZON NORTH INC.-IN	320772	FTWYINXL	FORT WAYNE
VERIZON NORTH INC.-IN	320772	GLTNINXA	GALVESTON
VERIZON NORTH INC.-IN	320772	GLWDINXA	GLENWOOD
VERIZON NORTH INC.-IN	320772	GNC SINXA	GREEN CASTLE
VERIZON NORTH INC.-IN	320772	GRFKINXA	GREENSFORK
VERIZON NORTH INC.-IN	320772	GRRTINXA	GARRETT
VERIZON NORTH INC.-IN	320772	GSHNINXA	GOSHEN
VERIZON NORTH INC.-IN	320772	GYVLINXA	GRAYSVILLE
VERIZON NORTH INC.-IN	320772	HANNINXA	HANNA
VERIZON NORTH INC.-IN	320772	HBRTINXA	HOBART
VERIZON NORTH INC.-IN	320772	HGTWINXA	HAGERSTOWN
VERIZON NORTH INC.-IN	320772	HMTNINXA	HAMILTON
VERIZON NORTH INC.-IN	320772	HNTWINXA	HUNTERTOWN
VERIZON NORTH INC.-IN	320772	HRLNINXA	HARLAN
VERIZON NORTH INC.-IN	320772	KMMLINXA	KIMMELL
VERIZON NORTH INC.-IN	320772	KOTSINXA	KOUTS
VERIZON NORTH INC.-IN	320772	LACRINXA	LA CROSSE
VERIZON NORTH INC.-IN	320772	LAPTINXB	LA PORTE
VERIZON NORTH INC.-IN	320772	LAPTINXC	LA PORTE
VERIZON NORTH INC.-IN	320772	LAPTINXD	LA PORTE
VERIZON NORTH INC.-IN	320772	LBRTINXA	LIBERTY
VERIZON NORTH INC.-IN	320772	LCRNINXB	LUCERNE
VERIZON NORTH INC.-IN	320772	LEO INXA	LEO
VERIZON NORTH INC.-IN	320772	LEWISINXA	LEWIS
VERIZON NORTH INC.-IN	320772	LFYTINXA	LAFAYETTE
VERIZON NORTH INC.-IN	320772	LFYTINXB	LAFAYETTE
VERIZON NORTH INC.-IN	320772	LFYTINXC	LAFAYETTE
VERIZON NORTH INC.-IN	320772	LFYTINXD	LAFAYETTE
VERIZON NORTH INC.-IN	320772	LFYTINXF	LAFAYETTE
VERIZON NORTH INC.-IN	320772	LGPTINXA	LOGANSPO RT
VERIZON NORTH INC.-IN	320772	LKSTINXA	LAKE STATION

APPENDIX 1 (cont.)

VERIZON NORTH INC.-IN	320772	LYNNINXA	LYNN
VERIZON NORTH INC.-IN	320772	MACYINXA	MACY
VERIZON NORTH INC.-IN	320772	MAYSINXA	MAYS
VERIZON NORTH INC.-IN	320772	MCBHINXA	MECHANICSBURG
VERIZON NORTH INC.-IN	320772	MDLBINXA	MIDDLEBURY
VERIZON NORTH INC.-IN	320772	MLRYINXB	MILROY
VERIZON NORTH INC.-IN	320772	MLWDINXB	MILLWOOD
VERIZON NORTH INC.-IN	320772	MNTNINXB	MENTONE
VERIZON NORTH INC.-IN	320772	MOVLINXA	MONROEVILLE
VERIZON NORTH INC.-IN	320772	MRLDINXA	MOORELAND
VERIZON NORTH INC.-IN	320772	MRTNINXA	MORTON
VERIZON NORTH INC.-IN	320772	MRTWINXA	MORRISTOWN
VERIZON NORTH INC.-IN	320772	NMCHINXA	NORTH MANCHESTER
VERIZON NORTH INC.-IN	320772	NWHNINXA	NEW HAVEN
VERIZON NORTH INC.-IN	320772	ORLDINXA	ORLAND
VERIZON NORTH INC.-IN	320772	PKGNINXA	POKAGON
VERIZON NORTH INC.-IN	320772	PKVLINXB	PERKINSVILLE
VERIZON NORTH INC.-IN	320772	PLLKINXA	PLEASANT LAKE
VERIZON NORTH INC.-IN	320772	PNTNINXA	PENDLETON
VERIZON NORTH INC.-IN	320772	POE INXA	POE HOAGLAND
VERIZON NORTH INC.-IN	320772	PRCKINXA	PRAIRIE CREEK
VERIZON NORTH INC.-IN	320772	PRTGINXA	PORTAGE
VERIZON NORTH INC.-IN	320772	PRTGINXB	PORTAGE
VERIZON NORTH INC.-IN	320772	RCMDINXB	RICHMOND
VERIZON NORTH INC.-IN	320772	RDKYINXA	REDKEY
VERIZON NORTH INC.-IN	320772	RGVLINXA	RIDGEVILLE
VERIZON NORTH INC.-IN	320772	RILYINXA	RILEY
VERIZON NORTH INC.-IN	320772	RLPRINXA	ROLLING PRAIRIE
VERIZON NORTH INC.-IN	320772	RONKINXA	ROANOKE
VERIZON NORTH INC.-IN	320772	RUVLINXB	RUSHVILLE
VERIZON NORTH INC.-IN	320772	RYCTINXA	ROYAL CENTER
VERIZON NORTH INC.-IN	320772	SDNYINXA	SIDNEY
VERIZON NORTH INC.-IN	320772	SHRYINXA	SHIRLEY
VERIZON NORTH INC.-IN	320772	SLLKINXA	SILVER LAKE
VERIZON NORTH INC.-IN	320772	SLLVINXA	SULLIVAN
VERIZON NORTH INC.-IN	320772	SPLDINXA	SPICELAND
VERIZON NORTH INC.-IN	320772	SPPTINXB	SPRINGPORT
VERIZON NORTH INC.-IN	320772	ST JOINXA	ST JOE
VERIZON NORTH INC.-IN	320772	TPCNINXB	TIPPECANOE
VERIZON NORTH INC.-IN	320772	TRRHINXA	TERREHAUTE
VERIZON NORTH INC.-IN	320772	TRRHINXB	TERREHAUTE
VERIZON NORTH INC.-IN	320772	TRRHINXC	TERREHAUTE
VERIZON NORTH INC.-IN	320772	TRRHINXD	TERREHAUTE

APPENDIX 1 (cont.)

VERIZON NORTH INC.-IN	320772	TRRHINXE	TERREHAUTE
VERIZON NORTH INC.-IN	320772	TRRHINXF	TERREHAUTE
VERIZON NORTH INC.-IN	320772	UNMLINXA	UNIONMILLS
VERIZON NORTH INC.-IN	320772	VLPRINXA	VALPARAISO
VERIZON NORTH INC.-IN	320772	WAWKINXA	WAWAKA
VERIZON NORTH INC.-IN	320772	WBSHINXA	WABASH
VERIZON NORTH INC.-IN	320772	WCCRINXA	WCOLLGEOR
VERIZON NORTH INC.-IN	320772	WDBNINXA	WOODBURN
VERIZON NORTH INC.-IN	320772	WHLRINXA	WHEELER
VERIZON NORTH INC.-IN	320772	WKRSINXA	WAKARUSA
VERIZON NORTH INC.-IN	320772	WLTNINXA	WALTON
VERIZON NORTH INC.-IN	320772	WNFLINXA	WINDFALL
VERIZON NORTH INC.-IN	320772	WNTHINXA	WANATAH
VERIZON NORTH INC.-IN	320772	WSFDINXA	WESTFIELD
VERIZON NORTH INC.-IN	320772	WSFDINXB	WESTFIELD
VERIZON NORTH INC.-IN	320772	WSTVINXA	WESTVILLE
VERIZON NORTH INC.-IN	320772	WTRLINXA	WATERLOO
VERIZON NORTH INC.-IN	320772	WYTTINXA	WYATT
VERIZON NORTH INC.-IN (CONTEL)	320779	AUSTINXA	AUSTIN
VERIZON NORTH INC.-IN (CONTEL)	320779	BCKNINXA	BICKNELL
VERIZON NORTH INC.-IN (CONTEL)	320779	BRDSINXA	BIRDSEYE
VERIZON NORTH INC.-IN (CONTEL)	320779	BRTWINXA	BROWNSTOWN
VERIZON NORTH INC.-IN (CONTEL)	320779	BTVIINXA	BUTLERVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	BTVLINXA	BATESVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	CENTINXA	CENTRAL
VERIZON NORTH INC.-IN (CONTEL)	320779	COVLINXA	CROTHERSVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	CRLSINXA	CARLISLE
VERIZON NORTH INC.-IN (CONTEL)	320779	CRNDINXA	CRANDALL
VERIZON NORTH INC.-IN (CONTEL)	320779	CYDNINXA	CORYDON
VERIZON NORTH INC.-IN (CONTEL)	320779	CYNTINXA	CYNTHIANA
VERIZON NORTH INC.-IN (CONTEL)	320779	DCKRINXA	DECKER
VERIZON NORTH INC.-IN (CONTEL)	320779	DUBSINXA	DUBOIS
VERIZON NORTH INC.-IN (CONTEL)	320779	ELBRINXA	ELBERFELD
VERIZON NORTH INC.-IN (CONTEL)	320779	ELZBINXA	ELIZABETH
VERIZON NORTH INC.-IN (CONTEL)	320779	ENGLINXB	ENGLISH
VERIZON NORTH INC.-IN (CONTEL)	320779	FDNDINXA	FERDINAND
VERIZON NORTH INC.-IN (CONTEL)	320779	FMBGINXA	FARMERSBURG
VERIZON NORTH INC.-IN (CONTEL)	320779	FNVLINXA	FREELANDVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	FRBGINXB	FREDRICKSBURG
VERIZON NORTH INC.-IN (CONTEL)	320779	FRBNINXA	FAIRBANKS
VERIZON NORTH INC.-IN (CONTEL)	320779	FRNCINXA	FRANCISCO
VERIZON NORTH INC.-IN (CONTEL)	320779	FTBRINXA	FORTBRANCH
VERIZON NORTH INC.-IN (CONTEL)	320779	FTTNINXA	FRITCHTON
VERIZON NORTH INC.-IN (CONTEL)	320779	GNBGINXB	GREENSBURG

APPENDIX 1 (cont.)

VERIZON NORTH INC.-IN (CONTEL)	320779	GRTWINXA	GEORGETOWN
VERIZON NORTH INC.-IN (CONTEL)	320779	HEVLINXA	HENRYVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	HGBGINXA	HUNTINGBURG
VERIZON NORTH INC.-IN (CONTEL)	320779	HNVRINXA	HANOVER
VERIZON NORTH INC.-IN (CONTEL)	320779	HYVLINXA	HAYSVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	HZTNINXA	HAZLETON
VERIZON NORTH INC.-IN (CONTEL)	320779	JSPRINXA	JASPER
VERIZON NORTH INC.-IN (CONTEL)	320779	LACNINXA	LACONIA
VERIZON NORTH INC.-IN (CONTEL)	320779	LNVLINXA	LANESVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	LOGTINXA	LOOGOOTEE
VERIZON NORTH INC.-IN (CONTEL)	320779	LVWOINXA	LEAVENWORTH
VERIZON NORTH INC.-IN (CONTEL)	320779	LXTNINXA	LEXINGTON
VERIZON NORTH INC.-IN (CONTEL)	320779	LYVLINXA	LYNNVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	MCKYINXA	MACKEY
VERIZON NORTH INC.-IN (CONTEL)	320779	MDSNINXA	MADISON
VERIZON NORTH INC.-IN (CONTEL)	320779	MEDRINXA	MEDORA
VERIZON NORTH INC.-IN (CONTEL)	320779	MERMINXA	MEROM
VERIZON NORTH INC.-IN (CONTEL)	320779	MILNINXA	MILAN
VERIZON NORTH INC.-IN (CONTEL)	320779	MLTWINXA	MILLTOWN
VERIZON NORTH INC.-IN (CONTEL)	320779	MNCYINXA	MONROE CITY
VERIZON NORTH INC.-IN (CONTEL)	320779	MRNGINXA	MARENGO
VERIZON NORTH INC.-IN (CONTEL)	320779	MTCHINXA	MITCHELL
VERIZON NORTH INC.-IN (CONTEL)	320779	NVRNINXA	NORTH VERNON
VERIZON NORTH INC.-IN (CONTEL)	320779	NWMLINXA	NEW MIDDLETOWN
VERIZON NORTH INC.-IN (CONTEL)	320779	OKCYINXA	OAKLAND CITY
VERIZON NORTH INC.-IN (CONTEL)	320779	OKTWINXB	OAKTOWN
VERIZON NORTH INC.-IN (CONTEL)	320779	ORLNINXA	ORLEANS
VERIZON NORTH INC.-IN (CONTEL)	320779	OWVLINXA	OWENSVILLE
VERIZON NORTH INC.-IN (CONTEL)	320779	PAOLINXA	PAOLI
VERIZON NORTH INC.-IN (CONTEL)	320779	PATKINXA	PATOKA
VERIZON NORTH INC.-IN (CONTEL)	320779	PLMYINXA	PALMYRA
VERIZON NORTH INC.-IN (CONTEL)	320779	PRTNINXA	PRINCETON
VERIZON NORTH INC.-IN (CONTEL)	320779	PTBGINXB	PETERSBURG
VERIZON NORTH INC.-IN (CONTEL)	320779	RDTNINXA	REDDINGTON
VERIZON NORTH INC.-IN (CONTEL)	320779	RMSYINXA	RAMSEY
VERIZON NORTH INC.-IN (CONTEL)	320779	SALMINXA	SALEM
VERIZON NORTH INC.-IN (CONTEL)	320779	SCBGINXA	SCOTTSBURG
VERIZON NORTH INC.-IN (CONTEL)	320779	SCIPINXA	SCPIO
VERIZON NORTH INC.-IN (CONTEL)	320779	SHLBINXA	SHELBURN
VERIZON NORTH INC.-IN (CONTEL)	320779	SHLSINXA	SHOAL
VERIZON NORTH INC.-IN (CONTEL)	320779	SPRGINXA	SPURGEON
VERIZON NORTH INC.-IN (CONTEL)	320779	STATINXA	ST ANTHONY
VERIZON NORTH INC.-IN (CONTEL)	320779	SYMRINXA	SEYMOUR

APPENDIX 1 (cont.)

VERIZON NORTH INC.-IN (CONTEL)	320779	VRSLINXA	VERSAILLES
VERIZON NORTH INC.-IN (CONTEL)	320779	WOTNINXA	WORTHINGTON
VERIZON NORTH INC.-IN (CONTEL)	320779	WSPTINXA	WESTPORT
VERIZON NORTH INC.-IN (CONTEL)	320779	WTLDINXA	WHEATLAND
ILEC	SAC	CLLI	EXCHANGE
Bloomington Home	320742	BLDLINXA	BLOOMINGDALE
Century Tel of Odon	320801	ODONINXA	ODON
Comm Corp of S. IN	320809	ELNRINXA	ELNORA
	320809	POVLINXA	POSEYVILLE
	320809	WSVLINXA	WADESVILLE
Daviess-Martin/RTC	320759	GFWAINXA	ALFOVLGNDL
	320759	MTGMINXB	MONTGOMERY
	320759	PLVLINXA	PLAINVILLE
	320759	WLMSINXB	TRINIYWLMS
Frontier-Thorntown	320828	CLHLINXA	CLARKS HILL
	320828	THTWINXA	THORNTOWN
Perry-Spencer Rural	320807	BNDNINXA	BANDON
	320807	HLLDINXA	HOLLAND
	320807	SNTCINXA	SANTACLAUS
	320807	STMKINXA	ST MARKS
	320807	STMNINXA	ST MEINRAD
S & W Tel Co	320816	SNDBINXA	SANDBORN
Tri-County Tel Co	320830	CLFXINXA	COLFAX
	320830	LNDNINXA	LINDEN
	320830	RMNYINXA	ROMNEY
	320830	WNGTINXA	WINGATE
VERIZON NORTH INC.-IN (ALLTEL)	323034	CTLRINXA	CUTLER
	323034	DLPHINXA	DELPHI
	323034	IDVLINXA	IDAVILLE
	323034	MRKLINXA	MARKLE
	323034	OSSIINXA	OSSIAN
	323034	RSVRINXA	RESERVOIR
	323034	UNDLINXA	UNIONDALE
	323034	ZNVLINXA	ZANESVILLE
Washington County Rural	320834	PEKNINXA	PEKIN
West Point Tel Co	320837	WSPNINXA	WEST POINT

EXHIBIT G

Louisiana Public Service Commission Order

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NO. U-29954

SPRINT NEXTEL CORPORATION, EX PARTE

Docket No. U-29954 In Re: Application of Sprint Nextel Corporation to Amend and Consolidate Its Designation as an Eligible Telecommunications Carrier.

(Decided at the March 21, 2007 Business and Executive Session.)
(Amends and Consolidates Order U-27509 and Order U-27289)

Nature of the Case

On January 31, 2007, Sprint Nextel Corporation ("Sprint Nextel") filed an application to amend and consolidate its existing designation as an Eligible Telecommunications Carrier ("ETC"). This Commission has previously designated Sprint as an ETC for non-rural areas in Order No. U-27509¹, and Nextel Partners as an ETC in rural areas in Order No. U-27289². Since the time of the designation, Sprint and Nextel have merged and as a result, Sprint and Nextel Partners are both subsidiaries and affiliates of Sprint Nextel Corporation. Additionally, the parties have noted that in Sprint's original non-rural application, it only sought ETC status in the BellSouth wire centers in which it provided service. By way of the current filing, Sprint Nextel seeks to consolidate the existing ETC designations under the name of the parent company, Sprint Nextel, and to expand the non-rural designation to cover the entirety of the BellSouth wire centers for which Sprint was designated.

By way of the current filing, Sprint Nextel reiterates the commitments made by both Sprint and Nextel Partners in their original designations. Additionally, the Company re-confirms its compliance with the requirements of 47 USC § 214(e) and 47 C.F.R. § 54.201. A timely intervention to Sprint Nextel's application was filed by the Small Company Committee of the Louisiana Telecommunications Association ("SCC"). As stated in the filing, the SCC "does not oppose the Application of Sprint Nextel" and "is intervening as an Interested Party to monitor the docket" only. Thus, there is no opposition to the application as filed, and by agreement of the parties, this matter has proceeded on a Staff level.

Jurisdiction and Applicable Law

The Commission exercises jurisdiction over public utilities in Louisiana pursuant to the Louisiana Constitution Article IV, Section 21(B), which states:

The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provide by law.

Pursuant to the above authority, the Commission adopted the Regulations for Competition in the Local Telecommunications Market, as most recently amended in Appendix B to the General Order dated July 24, 2002. As defined therein in Section 101,

(6) Commercial Mobile Radio Service (CMRS) – a mobile service that is: (a)(1) provided for profit, i.e., with the intent of receiving compensation or monetary gain; (2) an interconnected service; and (3)

¹ The actual entities designated as an ETC in Commission Order U-27509 were Sprint Spectrum, L.P., SprintCom, Inc. and WirelessCo, L.P., d/b/a Sprint PCS.

² The actual entity designated as an ETC in Commission Order U-27289 was NPCR, Inc. d/b/a Nextel Partners.

available to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public; or (b) the functional equivalent of such a mobile service described in paragraph (a) of this definition. 47 CFR § 20.3, as amended. CMRS includes "Radio Common Carriers: as that term is defined and used in La. R.S. § 45:1500 *et seq.*

(7) Commercial Mobile Radio Service Provider – any person or entity engaged in the provision of a service that is a commercial mobile radio service. CMRS provider includes "Radio Common Carriers: as that term is defined and used in La. R.S. § 45:1500 *et seq.*

The Commission is given broad power to regulate telephone utilities and may adopt all reasonable and just rules, regulations, and orders affecting or connected with the service or operation of such business.³ As stated previously, 47 U.S.C. § 214(e)(2) grants the power to the state commissions to designate a common carrier that meets the requirements of 47 U.S.C. § 214(e)(1) as an ETC for a service area specified by the commission.

The requirements of 47 USC § 214(e) are as follows:

(1) Eligible telecommunications carriers - A common carrier designated as an eligible telecommunications carrier under paragraph (2), (3), or (6) shall be eligible to receive universal service support in accordance with section 254 of this title and shall, throughout the service area for which the designation is received—

(A) offer the services that are supported by federal universal service support mechanisms under section 254(c) of this title, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges there for using media of general distribution.

(2) Designation of eligible telecommunications carriers - A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

Additionally, the supported services that must be provided as a requirement for ETC designation are contained in 47 C.F.R. § 54.101, which provides as follows:

- (a) Services designated for support. The following services or functionalities shall be supported by federal universal service support mechanisms:
 - (1) Voice grade access to the public switched network. "Voice grade access" is defined as a functionality that enables a user of telecommunications services to transmit voice communications,

³ South Central Bell Tel. Co. v. Louisiana Public Service Commission, 352 So.2d 999, (La. 1977.)

including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. For the purposes of this part, bandwidth for voice grade access should be, at a minimum, 300 to 3,000 Hertz;

- (2) Local usage. "Local usage" means an amount of minutes of use of exchange service, prescribed by the Commission, provided free of charge to end users;
- (3) Dual tone multi-frequency signaling or its functional equivalent. "Dual tone multi-frequency" (DTMF) is a method of signaling that facilitates the transportation of signaling through the network, shortening call set-up time;
- (4) Single-party service or its functional equivalent. "Single-party service" is telecommunications service that permits users to have exclusive use of a wireline subscriber loop or access line for each call placed, or, in the case of wireless telecommunications carriers, which use spectrum shared among users to provide service, a dedicated message path for the length of a user's particular transmission;
- (5) Access to emergency services. "Access to emergency services" includes access to services, such as 911 and enhanced 911, provided by local governments or other public safety organizations. 911 is defined as a service that permits a telecommunications user, by dialing the three-digit code "911," to call emergency services through a Public Service Access Point (PSAP) operated by the local government. "Enhanced 911" is defined as 911 service that includes the ability to provide automatic numbering information (ANI), which enables the PSAP to call back if the call is disconnected, and automatic location information (ALI), which permits emergency service providers to identify the geographic location of the calling party. "Access to emergency services" includes access to 911 and enhanced 911 services to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems;
- (6) Access to operator services. "Access to operator services" is defined as access to any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call;
- (7) Access to interexchange service. "Access to interexchange service" is defined as the use of the loop, as well as that portion of the switch that is paid for by the end user, or the functional equivalent of these network elements in the case of a wireless carrier, necessary to access an interexchange carrier's network;
- (8) Access to directory assistance. "Access to directory assistance" is defined as access to a service that includes, but is not limited to, making available to customers, upon request, information contained in directory listings; and
- (9) Toll limitation for qualifying low-income consumers. Toll limitation for qualifying low-income consumers is described in subpart E of this part.
- (b) Requirement to offer all designated services. An eligible telecommunications carrier must offer each of the services set

forth in paragraph (a) of this section in order to receive federal universal service support.

- (c) Additional time to complete network upgrades. A state commission may grant the petition of a telecommunications carrier that is otherwise eligible to receive universal service support under Sec. 54.201 requesting additional time to complete the network upgrades needed to provide single-party service, access to enhanced 911 service, or toll limitation. If such petition is granted, the otherwise eligible telecommunications carrier will be permitted to receive universal service support for the duration of the period designated by the state commission. State commissions should grant such a request only upon a finding that exceptional circumstances prevent an otherwise eligible telecommunications carrier from providing single-party service, access to enhanced 911 service, or toll limitation. The period should extend only as long as the relevant state commission finds that exceptional circumstances exist and should not extend beyond the time that the state commission deems necessary for that eligible telecommunications carrier to complete network upgrades. An otherwise eligible telecommunications carrier that is incapable of offering one or more of these three specific universal services must demonstrate to the state commission that exceptional circumstances exist with respect to each service for which the carrier desires a grant of additional time to complete network upgrades.

Consistent with the above sections, the Commission issued a General Order dated May 20, 2004, which establishes specific public interest criteria applicable for applications seeking ETC designation in areas served by rural telecommunications carriers.

Staff's Recommendation and Commission's Consideration

The Commission is authorized under Sections 214(e) and 254 of the Communications Act of 1934 to designate Sprint Nextel as an ETC. Based upon the record evidence, and in particular the history of compliance with the Commission's ETC regulations from both Sprint and Nextel Partners, Staff opined that Sprint Nextel continues to meet all of the criteria for ETC designation contained in Section 214(e)(1) of the Telecom Act, as it (1) is a common carrier, (2) currently provides each of the supported services required of an ETC under 47 C.F.R. Section 54.101(a), and will offer all of those services to its universal service customers once designated an ETC, (3) advertises the availability of the supported services and charges using media of general distribution, (4) offers the required services using its own facilities or a combination of its own facilities and another carrier's services, and (5) identified the service areas through which it will offer and advertise the supported services, as well as the public interest criteria adopted by the Commission in the General Order dated May 20, 2004.

Staff further noted that granting Sprint Nextel's application to consolidate the existing designations would streamline the annual certification process with the FCC and USAC. Finally, granting the application to expand the non-rural designation of Sprint will provide a benefit to low-income customers, as Sprint Nextel's Lifeline offerings will be expanded to the entirety of the wire centers for which the initial non-rural designation was granted. For these reasons, Staff recommended Sprint Nextel's application should be granted. Sprint Nextel's request was considered by the Commission at its March 21, 2007 Business and Executive Session. On motion of Commissioner Sittig, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to accept the Staff Recommendation and grant Sprint Nextel Corporation's application to amend and consolidate its designation as an Eligible Telecommunications Carrier.

IT IS THEREFORE ORDERED THAT

1. The Commission's Prior designations as ETCs of Sprint in Order U-27509 and Nextel Partners in Order U-27289 are hereby consolidated under the name Sprint Nextel.
2. Sprint Nextel's request to expand the existing ETC designation as set forth in its application is hereby granted.
3. This Order shall be effective immediately.

**BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA**

March 29, 2007

/S/ JACK "JAY" A. BLOSSMAN
DISTRICT I
CHAIRMAN JACK "JAY" A. BLOSSMAN

/S/ LAMBERT C. BOISSIERE, III
DISTRICT III
VICE CHAIRMAN LAMBERT C. BOISSIERE, III

/S/ C. DALE SITTIG
DISTRICT IV
COMMISSIONER C. DALE SITTIG

/S/ JAMES M. FIELD
DISTRICT II
COMMISSIONER JAMES M. FIELD


LAWRENCE C. ST. BLANC
SECRETARY

/S/ FOSTER L. CAMPBELL
DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL

EXHIBIT H

High-Cost Certification Letter

Karen Majcher
Vice President, High Cost
& Low Income Division
Universal Service Administrative Company
2000 L Street, NW
Suite 200
Washington, D.C. 20036

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

Karen Majcher
Vice President, High Cost
& Low Income Division
Universal Service Administrative Company
444 Hoes Lane
RRC 4A1060
Piscataway, NJ 08854

**Re: CC Docket No. 96-45
Sprint Nextel - 47 C.F.R. §§ 54.313 & 54.314 Certification**

Ms. Dortch and Ms. Flannery:

The Public Service Commission of the State of Kentucky (“KPSC”) has amended NPCR, Inc.’s designation as an eligible telecommunications carrier (“ETC”) in the State of Kentucky. The KPSC’s Order amending the ETC designation is enclosed as **Exhibit A**.

This letter is KPSC’s certification to the Federal Communications Commission (“FCC”) and Universal Service Administrative Company (“USAC”) that all federal high-cost universal service support provided to Sprint Nextel in Kentucky will be used only for its intended purposes under Section 254(e) of the Telecommunications Act of 1996 (“Act”).

Sprint Nextel has certified to the KPSC that all federal high-cost universal service support received by Sprint Nextel in Kentucky will be used pursuant to Section 254(e) of the Act. Accordingly, KPSC hereby certifies that all federal high-cost universal service support received by Sprint Nextel will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. This letter serves as a supplemental certification to the annual certification previously filed by the KPSC pursuant to 47 C.F.R. §§ 54.313 and 54.314. This supplemental certification is to ensure that Sprint Nextel is eligible to receive high-cost universal service support effective as of the date of the enclosed Order.

If you have any questions or concerns regarding this certification, please contact me at your convenience.

By the Commission

Enclosure

cc: Sprint Nextel